

THE DOCUMENTARY HISTORY OF THE
RATIFICATION OF THE CONSTITUTION

Ratification of the Constitution by the States

NEW YORK

Supplemental Documents

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 449-G. Order of Procession Broadside
- 513. Springfield, Mass., Hampshire Chronicle, 6 August 1788

- 580. Israel Thompson: Travel Voucher, 27 February and 18 May 1789
- 581. Lewis Morris: Payment For Expenses as Delegates to the New York Convention, 3 March 1789
- 582. Isaac Roosevelt: Travel Voucher, 3 March 1789
- 600. Convention Journal, 18 June 1788
- 603. Draft of Robert R. Livingston's Resolution, 19 June 1788
- 639. Manuscript Copies of the Declaration of Rights Introduced by John Lansing, Jr., 7 July 1788
- 645. John Jay's Resolutions to Ratify the Constitution, 11 July 1788
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- 659. Draft of a Form of Ratification and Amendments Proposed by John Lansing, Jr., 19 July 1788
- 672. New York Declaration of Rights, Form of Ratification, and Recommendatory Amendments to the Constitution, 26 July 1788
- 673. New York Convention: Circular Letter to the Executives of the States Poughkeepsie, 26 July 1788
- 675. John McKesson's Working Draft of the Committee of the Whole Report

Introduction

The supplemental documents are intended to provide a fuller documentation and understanding of the debate over the ratification of the Constitution in New York than was possible in the five printed volumes. This supplement contains official documents, letters, and newspaper items.

The supplement contains over 440 newspaper items, 7 magazine items, 20 legislative documents, 12 election certificates, and 42 diaries, journals, and memoirs. Over 210 letters appear written by almost 160 different people. John Jay wrote six letters (the most of any single writer); Rufus King wrote five. Ebenezer Hazard, Nathaniel Hazard and Paine Wingate each wrote four letters, while ten other individuals each wrote three letters. All other letter writers wrote only one or two letters.

Arranged in its own chronological run, the last 100 pages of the supplement consist of documents dealing with New York's ratifying Convention, including: items from the printed and smooth manuscript journals and the printed debates, 42 newspaper reports, and loose papers. Twenty-seven roll call votes are listed. Manuscript notes and drafts of resolutions are taken from the Convention's secretary John McKesson and from seven Convention delegates—Alexander Hamilton, John Sloss Hobart, John Jay, John Lansing, Jr., Gilbert Livingston, Robert R. Livingston, and Melancton Smith.

Except for some photographic reproductions (facsimiles), the documents consist mostly of literal transcripts. The documents are arranged chronologically except for those on particular subjects which are grouped together. These groupings are:

- New York Appoints Delegates to the Constitutional Convention, 13 January–6 March 1787
- Antifederalism of Thomas Greenleaf Satirized in the *New York Morning Post*, and *New York Packet*, 7–11 January 1788
- The Challenge to Thomas Greenleaf's Credibility Respecting His Publication of Arthur Lee's Report on the State of Virginia Antifederalism, 10–29 March 1788
- Performance of The Play The Convention in New York City, 4–8 April 1788
- Jonathan Akin Charged With Being a Monarchist, *Poughkeepsie Country Journal*, 22 April–1 July 1788
- Thomas Greenleaf Erroneously Reports the Appointment of a British Vice Counsel for New England, 29 April–6 May 1788
- Election Certificates, 27–30 May 1788
- Fourth of July Celebrations, 1788
- The New York City Federal Procession, 23 July 1788
- Thomas Greenleaf's "Publication Policies on the Resumption of Publication After the Destruction of His Press," 31 July–11 September 1788
- The New York Convention, 17 June–28 July 1788

Facsimiles

This Supplement contains 40 facsimiles totaling 182 individual pages. These facsimiles provide a visual representation of original documents, some of which were difficult or impossible to transcribe.

References to these facsimiles (including the document number, title, and footnotes) appear in the text portion of the Supplement with an indication to visit the University of Wisconsin Digital Collection's website (<https://digital.library.wisc.edu/1711.dl/Constitution>) to view the documents themselves.

A list of facsimiles can be found at the end of the Table of Contents.

Addendum

The final document (pp. 484–86) was located after the New York supplement was typeset and indexed.

Appendix

Many newspaper items and pamphlets in the ratification debate had a regional or national circulation. These items are printed in *Commentaries on the Constitution: Public and Private* (CC). The Appendix in this volume lists these *Commentaries* items that were printed or reprinted in New York.

Symbols

Manuscripts

Dft.	Draft
FC	File Copy
MS	Manuscript
RC	Recipient's Copy
RG	Record Group
Tr	Translation

Manuscript Depositories

DLC	Library of Congress
DNA	National Archives
MHi	Massachusetts Historical Society
N	New York State Library
NHi	New-York Historical Society
NN	New York Public Library
PHi	Historical Society of Pennsylvania

Short Titles

Boyd	Julian P. Boyd et al., eds., <i>The Papers of Thomas Jefferson</i> (Princeton, N.J., 1950–).
Evans	Charles Evans, <i>American Bibliography</i> (12 vols., Chicago, 1903–1934).
PCC	Papers of the Continental Congress, 1774–1789 (Record Group 360, National Archives)
Rutland, Mason	Robert A. Rutland, ed., <i>The Papers of George Mason, 1725–1793</i> (3 vols., Chapel Hill, N.C., 1970).

Cross-references to Volumes of

The Documentary History of the Ratification of the Constitution

CC	References to <i>Commentaries on the Constitution</i> are cited as “CC” followed by the number of the document. For example: “CC:25.”
Mfm	References to the supplements to the “RCS” volumes are cited as “Mfm” followed by the abbreviation of the state and the number of the document. For example: “Mfm:N.Y. 2.” “Mfm” is also used in the running headers as an aide to the reader, and are especially helpful in multipage documents.

- RCS References to the series of volumes titled *Ratification of the Constitution by the States* are cited as “RCS” followed by the abbreviation of the state and the page number. For example: “RCS:N.Y., 200.”

Documents

I. Cato

Poughkeepsie Country Journal, 5 July 1786

To the Public.

Fellow Citizens, The Time is fast approaching, nay, now is, when the conduct of these States will determine their happiness or misery for ages yet to come— To sit by, and look calmly on when ones country is in danger, without making the least effort to avert the impending mischief, is to betray the trust Heaven has confided in us, and become accomplices in its destruction. Therefore I solicit your attention while I lay before you the untoward situation of our affairs.— Public credit at a low ebb, the nerves of government daily relaxing, our foreign commerce wretchedly distressed, without laws to protect, home manufactures languishing without encouragement, in disreputation abroad & contending about trifles at home, insulted by every petty tribe of Indians on our frontiers, our lands and posts violently held from us by a nation whom we have all the cause in the world to hold in abhorrence.— These are evils that every-body see, but that no-body attempt to remedy; abandoned to luxury and effeminacy, we are poor in the midst of wealth; every one complains that our neighbours treat us ill, but let me ask: Do we do justice to ourselves? If not, how can we expect others to take care of our interest, while we neglect it? It is amusing to hear the various causes the politicians of the age ascribe our distresses to; some will have it that they arise from the non-compliance with the Continental impost; others attribute it to the mal management of Congress, and many to the stupidity of the Legislature—But it is impossible for Congress to do good without the power, or the Legislature without the abilities. The Impost is probably well enough in itself, yet it appears to me that in placing our whole dependence on that measure, we are loosing sight of the substance in pursuit of the shadow—here it will probably be asked, What then is to be done? To which I answer in these words, *Strengthen the Confederation*: that maxim in government that individual gives up a part of property and personal privileges for the security of the remainder, will hold good with individual States that compose one great empire—Our extreme caution on this head, has been the sole cause of all our national misfortunes; and unless speedily remedied, will involve us in inextricable ruin. That man must have acquired but little experience that does not know that among a number of persons where any matter, even of the most disinterested nature turns up, there are almost as many opinions as men, much more so among a number of States, whose interest is constantly clashing: To expect union in such cases, is ridiculous even in theory, and practice has fully evinced the absurdity of it—if one State enacts the most wise salutary laws, the adjoining one having different views and different interests, will most certainly counteract them: Thus it is easy to prove in the simplest clearest manner, the absolute necessity of constituting *one superior confederated head*. This country, as it is now circumstanced, may truly be said to be a many-headed monster, each head contending with its neighbour, and all neglecting the interest of their common body—but yet the strengthening the union by investing the confederate councils with more power, is opposed by a

few petty politicians in each State. Here every dirty motive is brought into action—what say they, shall we give power out of our hands into that of others? Who can we trust better than ourselves? As well might an individual say the same; where then would this reasoning lead us? Verily to anarchy and confusion: But then Congress would have the appointing of all officers, and might name who they thought proper.—This I grant will disappoint the interested views of some of some of our politicians, who would loose the power of appointing some of their needy friends and dependants: But should we judge of the future by the past, it requires no depth of penetration, to perceive that the posts in government would be filled with men of much greater genius, and of much superior abilities than what they now are. Whoever takes a retrospect of the proceedings of Congress, from their first æra to this day, will find that the most profound wisdom has marked their footsteps, and that their executive offices have been filled with men of decision, penetration; and the most extensive understandings; while those who have been in the nomination of the different States have too often been possessed by boys or favorite old women—Besides the same man thinks and acts differently, as he is differently circumstanced: let his views, interest and knowledge extend no farther than the little party politics of a parish or neighbourhood, you will find his mind and sentiments low prejudices, and contracted; his conduct frequently mean and trifling—But lead him regularly into the affairs and government of a great empire, his mind gradually expands as he advances; he looses sight of those trivial objects that used to possess his attention, and is amazed that he ever was under the influence of such prejudices; and then warmly engages himself in more nobler pursuits—the general good of the whole nation is the object of his attention. Should it be asked, what can Congress do when they receive the power? the reply is simply this: Give wisdom, uniformity, energy, and stability to the conduct of the States; nothing more is wanting to make a happy people: Nature has put in our hands riches and plenty, the use we make of the liberal advantages we receive from her beneficence will determine our happiness or misery. With whatever nation we deal, if the balance of the trade is against us, instantly prohibit the importation of all the articles we can possibly do without from such nation. Should any foreign power take the advantage of their situation, and lay unjust and unreasonable restrictions on our trade, prohibit any dealings with them at all, until they remove the unlawful barrier.—This conduct if it does not bring our neighbours to terms with us, will have this happy effect; it will prevent our pursuing a ruinous trade that must soon, if followed, end in bankruptcy; and what is still more, it will enable the virtuous citizen to regulate the expences of his family, not having the contaminating example of luxury to oppose.

This doctrine probably will not cord well with our modern ladies of fashion, or our tinselled pettit-matres—the latter having no more influence in government than to corrupt the manners of the citizens, merits no other attention than legally depriving them of the means of doing it: but the former in indulgencies to the softness of their sex, and the natural amiableness of their dispositions, seduced into extravagance by the flattery of coxcombs, ought to meet only with the gentlest reproof. Convinced I am, that few there are among them, were they seriously told that by wearing those useless luxurious robes, they exposed their

tender affectionate fathers, or their beloved partners of their beds, to the frauds, impositions and insults of their insolent neighbours, but that would tear with indignation from their lovely person, those badges of infamy, and adorn themselves in the plain habits that virtue and innocence points out. By such a conduct they would receive a two fold advantage: First, they escape the insipid company of triflers; and secondly, be entitled to the esteem, admiration and society of men of sense and refinement.—But to the point of prohibition; I am well aware that the grave wisecracks in the city will tell us that commerce is the life and soul of this country, that trade will regulate itself; therefore to make restrictions, will be to cramp the means of existence—The argument needs nothing farther to refute it than an attention to the following simile: eating is the source by which we live, our taste will regulate itself, therefore unless we swallow every thing that our appetite prompts us to, we are cramping ourselves in the very means of existence. But let me tell them, that as restrictions are necessary in our diet to promote animal health, so is restrictions in trade necessary to the health and well being of any country: Besides it will give encouragement to home manufactures, a thing most devoutly to be wished, as it will contribute more towards our national independence than even commerce itself—wants create dependence, therefore the more wants we can supply by our industry, so far we are emerging from dependence.—We have materials for all kinds of manufactories, and many labourers unemployed for want of encouragement. Why should we send our rough materials to Europe, and pay for transporting and manufacturing them, while we have unemployed labourers with us, and particularly, when they will not take the produce of our country in payment?

Note. The author's private business will employ his attention for a short time: After which he proposes to renew the subject.

2. Rufus King to Elbridge Gerry Philadelphia, 17 September 1786 (excerpts)¹

I am here soliciting the legislature to separate the Import from the plan of supplemental Funds . . . the delegates from New York called on me this morning on their way home . . . and agreed to recommend a convention at this place in May next for the object of a general revision of the Confederation . . .

1. Printed: *Highly Important American Historical Documents, Autograph Letters and Manuscripts: The Property of Elsie O. and Philip D. Sang Foundation*, Part One (26 April 1978), Parke-Bernet Sotheby Sale No. 4114, Item 101.

3. Jacob Morris to Horatio Gates New York, 5 January 1787¹

As to our politicks I refer you to the Bearer Doctr. Johnston for particular information thereon, all that I can say upon the subject is that they are in the most damnable state imaginable, indeed I see no other prospect at present of our getting to rights than the respective States going fully into the measure of chusing Deputies to attend the general Convention, proposed to be held at

Philada. next may, for the purpose of revising the Confederation &C. but from the temper of certain Demagogues in our Legislature I very much fear that this state will be duped by their artifices into a no compliance with a point that I view essential to our political existance and in which I am sure you & every other honest Citizen of these states will concur with me—

1. RC, Emmet Collection, NN.

4. John Jay to George Washington New York, 7 January 1787¹

Dear Sir,

They who regard the public good with more attention and attachment than they do mere personal concerns, must feel and confess the force of such sentiments as are expressed in your letter to me, by Colonel Humphrey, last fall. The situation of our affairs calls not only for reflection and prudence, but for exertion. What is to be done? is a common question, but it is a question not easy to answer.

Would the giving any further degree of power to Congress do the business? I am much inclined to think it would not; for, among other reasons, it is natural to suppose there will always be members who will find it convenient to make their seats subservient to partial and personal purposes; and they who may be able and willing to concert and promote useful and national measures, will seldom be unembarrassed by the ignorance, prejudices, fears, or interested views of others.

In so large a body, secrecy and despatch will be too uncommon; and foreign, as well as local interest, will oppose, and sometimes frustrate the wisest measures.

Large assemblies often misunderstand or neglect the obligations of character, honour, and dignity, and will, collectively, do or omit things which individual gentlemen, in private capacities, would not approve. As the many divide blame, and also divide credit, too little a portion of either falls to each man's share to affect him strongly, even in cases where the whole blame or the whole credit must be national. It is not easy for those to think and feel as sovereigns, who have been always accustomed to think and feel as subjects.

The executive business of sovereignty depending on so many wills, and those wills moved by such a variety of contradictory motives and inducements, will, in general, be but feebly done.

Such a sovereign, however theoretically responsible, cannot be effectually so in its departments and officers without adequate judicatories. I therefore promise myself nothing very desirable from any change which does not divide the sovereignty into its proper departments. Let Congress legislate—let others execute—let others judge.

Shall we have a king? not in my opinion, while other expedients remain untried. Might we not have a governor-general, limited in his prerogatives and duration? Might not Congress be divided into an upper and lower house—the former appointed for life, the latter annually; and let the governor-general (to preserve the balance), with the advice of a council, formed for that *only* purpose, of the great judicial officers, have a negative on their acts? Our government

should, in some degree, be suited to our manners and circumstances, and they, you know, are not strictly democratical.

What powers should be granted to the government so constituted? is a question which deserves much thought. I think the more the better; the States retaining only so much as may be necessary for domestic purposes, and all their principal officers, civil and military, being commissioned and removable by the national government.

These are short hints. Details would exceed the limits of a letter, and to you be superfluous. A Convention is in contemplation, and I am glad to find your name among those of its intended members.

To me the policy of *such* a Convention appears questionable. Their authority is to be derived from acts of the State Legislatures. Are the States Legislatures authorized, either by themselves or others, to alter constitutions? I think not. They who hold commissions can, by virtue of them, neither retrench nor extend the powers conveyed by them.

Perhaps it is intended that this Convention shall not ordain, but only recommend. If so, there is danger that their recommendations will produce *endless discussions, and perhaps jealousies and party heats*.

Would it not be better for Congress, plainly and in strong terms to declare, that the present federal government is inadequate to the purposes for which it was instituted; that they forbear to point out its particular defects, or to ask for an extension of any particular powers, lest improper jealousies should thence arise; but that, in their opinion, it would be expedient for the people of the States, without delay, to appoint State Conventions (in the way they choose their General Assemblies), with the sole and express power of appointing deputies to a general Convention, who, or the majority of whom, should take into consideration the articles of confederation, and make such alterations, amendments and additions thereto as to them should appear necessary and proper; and which being by them ordained and published, should have the same force and obligation which all, or any of the present articles now have.

No alteration in the government should, I think, be made, nor if attempted, will easily take place, unless deducible from the only source of just authority—
THE PEOPLE.

Accept, my dear sir, my warmest and most cordial wishes for your health and happiness,

1. RC, Washington Papers, DLC.

5. Rufus King to Elbridge Gerry New York, 7 January 1787 (excerpts)¹

My Dear Sir:

. . . It is most certain that things will not long continue in their present condition if foreseeing the dangers which hang over us, we do not unite in measures calculated to establish the public happiness; I am confident that no man will be able to bear up against calamitous events, which will otherwise force themselves into existence.

1. Printed: James T. Austin, *The Life of Elbridge Gerry* . . . (2 vols., Boston, 1828–1829), II, 3.

6. New York Daily Advertiser, 10 January 1787

The PAINTER.
NUMBER XVII.

Addressed to the several LEGISLATURES of the United States of America.

GENTLEMEN, As a regard for the prosperity of these states, prompts me to take the liberty thus to solicit your attention, I cannot but flatter myself that PATRIOTISM (ever predominant in the breast of *worthy legislators.*) will not suffer you to *disesteem* the council even of an *individual*, if it shall deserve your notice.

Though the territory we inhabit exhibits striking evidences of the *munificence* of the parent of nature; though we are in the full enjoyment of a religion that is *divine*; and though we pride ourselves in the *freedom* and *excellence* of our constitutions of government, do we possess HAPPINESS?—Is our conduct worthy of *men* and of *christians*?—Are we in a state of *opulence*?—Are we free from *intestine commotions*?—In every instance, do we possess *respectability of character*, as a people, among the nations of the earth?

Is it not of the first consequence to enquire into the *causes* of our reproach and infelicity? Do not our evil principally arise through our deficiency in economy, industry and virtue.

If so, doth it not most intimately concern you to use your best endeavours, (if you regard our commonweal) to promote these things among us?—And is it not an happy truth, that favored by Heaven, you have it in *your power* to be greatly instrumental in *delivering* us from our unhappiness; to *alleviate* our distress; give us *dignity* of character, and cause us to possess, at least, in some respects, *negative virtue*?

How superior is your ability to that of *others*, *externally*, to check vice and in-force virtue.

With what ease may you enact laws in favor of INDUSTRY, by *properly* encouraging the *manufacturing* such articles as would be of advantage to us?

With what ease too, may you promote ECONOMY, or in a great measure, suppress luxury and prodigality (or in some sort make them subservient to the public benefit) by prohibiting the importation of commodities which are *superfluous* or not necessary to our real convenience; or by laying a *considerable impost* on such articles?

It is mentioned, with pleasure, that the general court of *Massachusetts*, at their last session, enacted a law in favor of the *manufacturing* of *hemp*; that the same law, to effect important ends, imposes a duty of *fifteen per centum*, ad valorem on the ensuing particulars, if imported after the fifth day of January 1787; viz. all kinds of plated ware, silver and ivory handled knives and forks; all kind of jewellery and paste works; carpets of all kinds; copper-plate furniture, umbrellas, looking-glasses, china, glass, earthen and stone ware; silks of all kinds; gauzes, [linens?] and cambricks; all kinds of cotton goods, silk velvet, muffs and rippets; gloves and mittens of all sorts, except leather; silk and thread hose; muslins, hyson tea; hard soup; hair brushes; tin plated ware; all foreign spirits of the kinds commonly known by the name of *cordials*; all kinds of leather, coach and chaise lace, &c. That the aforesaid law also, lays an impost of *ten per centum* ad valorem

on sundry other articles, and to accomplish valuable purposes, entirely *prohibits* the importation of the following particulars, on pain of *forfeiture*, after the first of March next, except they are the growth or manufacture of these states, to wit; loaf sugar, hats made of furr, hair and wool, or any or either of them, boots and shoes of every denomination; coaches, and all other riding carriages, or any part thereof, and harness of all sorts; scythes, iron shovels, hoes, broad and narrow axes; flat irons for ironing clothes; anchors, iron and brass stoves; mill-saws, saddles and bridles, wool cards, ready-made millinary, articles of dress of all kinds, plumes and artificial flowers, of all kinds; white and blond lace of all kinds; fans charged at more than five shilings sterling a piece in the invoice exhibited; embroidered patterns for waistcoats, or for any other parts of dress; gold or silver lace and trimmings; womens and childrens stays; message cards, playing cards, hair powder of all kinds; pomatum and all kinds of perfumery; paper hangings, childrens toys, spelling books and primers, novels, romances, and plays; whips, walking canes, horn and tortoiseshell combs, porter, beer, and ale; butter, cheese, and mustard; coffin furniture of all kinds; linseed oil, candles, snuff, and all kinds of manufactured tobacco; all kinds of wearing apparel, and wooden household furniture, except the furniture brought by persons who shall reside in this country.

May you not, also, in a very considerable degree, suppress vice, by forming laws to prevent the licensing of *unnecessary* houses of public entertainment; properly to govern such as are *necessary*, and totally to prohibit such houses to be opened, of public resort, wherein *spirituous liquors* only, or principally, are vended in small measure?

It cannot be denied but that *such houses* and *improper taverns* greatly contribute to deprave the morals of men; and, in several respects are injurious to their interest and the public good.

As spirituous liquors (especially those which are *distilled*) disposed of in public houses, not under proper government, and dram shops are their *principal support*; would it not be prudent to affix an *high duty on all such liquors* which shall be imported. And also on all spirits distilled among ourselves? What evils should we experience by such conduct? Are these liquors *necessary* to our health and happiness? In England, about a century since, such liquors obtained from cane, were sold as cordials *only* in apothecaries shops. In that country the use of them is *extremely moderate*, when compared to the consumption of them in *these states*. Is there a people on earth who *so abuse* such spirits, as do the inhabitants of this country? In this respect how great is our *infatuation*; our folly, our stupidity, and guilt?

Not to mention the annual *immense expence* (which we are unable to bear) that these liquors subject us to, how *many* and *great* are the evils they are productive of? Discord and misery, in families! children beggared! feuds and contentions! lust, anger, and revenge! sloth and indigence! reproach and infamy! sorrow and pain! disease and death!

Are persons of *inferior stations* only in life chargeable with the abuse of such spirits? Are there not politicians, heroes, senators, philosophers, poets, orators, historians, gentlemen, merchants, mechanics, physicians, lawyers, and even di-

vines, who are guilty of using such liquors to *excess*? And with these are we not compelled to number not a few of the sex, and among them, some of fine sense and polished manners?

Does not our *thirst* for these spirits *increase*? How *extensively* is this evil *diffused*? And who of us, except yourselves, have ability to retard its progress; as those addicted to intoxication, are *generally* regardless of the voice of reason and religion? They appear indeed to be irreclaimable unless *deprived* of the *means* of inebriation. Suffer it to be asked, can you a moment *hesitate* whether or not, you will favour them with this act of friendship, this deed of virtue: regard *their* happiness here and hereafter, as well as the general good of the community?

Among many other particulars which occur, I will take the freedom only further to mention, that it is conceived the *revision* of our *federal constitution* is an object that demands your *immediate attention*. It seems to be the general opinion that *Congress* is not possessed of *powers* sufficient *duly* to sustain and promote the dignity and happiness of the Commonwealth. If thus, doth nor wisdom dictate that you should adopt such measures as shall remedy the evil, before its ill effects shall be *more severely* experienced?

How exalted, Gentlemen, is your station? In *how many* respects may you display your *wisdom* and *virtue*? What an opportunity do you enjoy of having your names enrolled in the *annals* of *fame*, and of *benefiting* your *country*.

Jan. 10, 1787.

7 A-L. New York Appoints Delegates to the Constitutional Convention 13 January–6 March 1787

7-A. *Assembly Proceedings, Tuesday, 23 January (excerpts)*¹

The House resolved itself into a Committee of the whole House, on the Speech of his Excellency the Governor, at the opening of the Session, and the papers which accompanied the same; and after some time spent thereon, Mr. *Speaker* re-assumed the Chair, and Mr. Clark, from the said Committee, reported, that the Committee had agreed to the following resolutions, which he was directed to report to the House, *viz.* . . .

Resolved, That it is the opinion of this Committee, that a Committee be appointed to consider and report upon the report of the Commissioners who met at Annapolis during the month of September last, to take under consideration the Trade and Commerce of the United States; and also the letter from his Excellency the Governor of the State of Virginia, together with the act of that State for the appointment of Commissioners to meet at Philadelphia on the second of May next, for the purposes mentioned in the said act. And that he was also directed by the said Committee to move for leave to sit again.

Mr. Clark read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House. . . .

Ordered, That Mr. C. Livingston, Mr. Gordon, Mr. Patterson, Mr. James Livingston and Mr. Cantine, be a Committee to consider of and report upon the report of the Commissioners who met at Annapolis, in the month of September

last, to take under consideration the trade and commerce of the United States; and also the letter from his Excellency the Governor of the State of Virginia, together with the act of that State, for the appointment of Commissioners, to meet at Philadelphia, on the second day of May next, for the purposes mentioned in the said act. . . .

1. Printed: *Assembly Journal* [12 January–21 April 1787] (New York, 1787) (Evans 20576), 20–21.

*7-B. Newspaper Report of Assembly Proceedings, Tuesday, 23 January (excerpt)*¹

. . . It was moved to agree also to the following:

Resolved as the opinion of this committee, that a committee be appointed to consider and report upon the report of the commissioners who met at Annapolis, in the month of September last, to take under consideration the trade and commerce of the United States, and also the letter from his excellency the Governor of this state, for the appointment of commissioners to meet at Philadelphia on the 2d May next, for the purposes mentioned in the said act, and referred to Messrs. R. C. Livingston, J. Gordon, Patterson, J. Livingston, and Cantine. . . .

1. Printed: *New York Daily Advertiser*, 24 January 1787.

*7-C. Newspaper Report of Assembly Proceedings, Friday, 16 February (excerpt)*¹

. . . Gen. Malcom read in his place, a resolution which he gave notice he would move for the next morning. He gave this notice that the members might be prepared on the subject.

The resolution was to this effect.

Resolved, if the Hon. the senate concur herein, that a committee of the senate, and a committee of this house be appointed to prepare a draft of instructions to the delegates of this state in the Congress of the United States, directing the said delegates to move in Congress for an act, recommending to the states composing the union, that a convention of representatives from the said states, respectively, be held, and meet at a time and place to be mentioned in such recommendation, for the purpose of revising the articles of confederation and perpetual union, between the United States of America; and reporting to the United States in Congress assembled, and to the states respectively, such alterations and amendments to the said articles of confederation, as a majority of the representatives met in such convention shall judge proper, and necessary to render them adequate to the preservation and government of the union. . . .

1. Printed: *New York Daily Advertiser*, 17 February.

*7-D. Newspaper Report of Assembly Proceedings and Debates
Saturday, 17 February (excerpt)*¹

. . . General Malcom, agreeable to the notice he had given, moved for the following resolutions.

Mr. Jones thought the resolution, as it stood, was rather improper; he made some observations for its amendment. Several other gentlemen made remarks on the resolution; it was at length amended and agreed to as follows—

Resolved, If the honorable the senate concur, that the delegates of this state, in the Congress of the United States, be, and they hereby are instructed to move in Congress for an act recommending to the states composing the union, that a convention of representatives from the said states respectively, be held, and meet at a time and place to be mentioned in such recommendation for the purpose of revising the articles of confederation and perpetual union between the United States of America; and reporting to the United States in Congress assembled, and to the states respectively, such alterations and amendments to the said articles of confederation, as the representatives met in such convention, shall judge proper and necessary to render them adequate to the preservation and support of the union.

1. Printed: *New York Daily Advertiser*, 20 February. Reprinted: *New York Journal*, 1 March.

7-E. *Senate Proceedings, Monday, 19 February (excerpt)*¹

. . . A Message from the Honorable the Assembly, by Mr. Purdy, was received with the following resolution for concurrence, viz.

Resolved, (if the Honorable the Senate concur herein) That the Delegates of this State in the Congress of the United States of America, be, and they hereby are instructed to move in Congress, for an act, recommending to the States composing the Union, that a Convention of Representatives from the said States respectively be held, and meet at a time and place to be mentioned in such recommendation, for the purpose of revising the Articles of Confederation and perpetual Union between the United States of America, and reporting to the United States in Congress assembled, and to the States respectively, such alterations and amendments to the said Articles of Confederation, as the Representatives met in such Convention shall judge proper and necessary to render them adequate to the preservation and support of the Union.

Ordered, That the consideration of the said resolution be postponed. . . .

1. Printed: *Senate Journal* [12 January–21 April 1787] (New York, 1787) (Evans 20577), 34.

7-F. *Senate Proceedings, Tuesday, 20 February (excerpt)*¹

. . . The Senate proceeded to the consideration of the resolution of the Honorable the Assembly received yesterday; proposing that the Delegates of this State be instructed to move in Congress for an act recommending that a Convention of Representatives from the several States in the Union, be held for the purpose of revising the Articles of Confederation and perpetual Union between the United States of America; and after considerable debate thereon, the President put the question, Whether the Senate do concur with the Honorable the Assembly in the said resolution? and it was carried in the affirmative in manner following, viz.

FOR THE AFFIRMATIVE. [10]

Mr. Stoutenburgh,	Mr. Townshend,	Mr. L'Hommedieu,	Mr. Philip Schuyler,
Mr. Treadwell,	Mr. Peter Schuyler,	Mr. Floyd,	Mr. Morris.
Mr. Vanderbilt,	Mr. Hopkins,		

FOR THE NEGATIVE. [9]

Mr. Yates,	Mr. Russell,	Mr. Humphrey,	Mr. Williams,
Mr. Haring,	Mr. Swartwoot,	Mr. Parks,	Mr. Van Ness.
Mr. Ward,			

Thereupon,

Resolved, That the Senate do concur with the Honorable the Assembly in their said resolution.

Ordered, That Mr. Morris deliver a copy of the preceding concurrent resolution to the Honorable the Assembly. . . .

1. Printed: *Senate Journal*, 35.

7-G. *Assembly Proceedings, Tuesday, 20 February (excerpt)*¹

. . . A copy of a resolution of the Honorable the Senate, delivered by Mr. Morris, was read, concurring with this House, in their resolution of the 17th instant, that the Delegates of this State be instructed to move for an act of Congress, recommending a Convention of Representatives for the purpose of revising the Articles of Confederation and Perpetual Union, between the United States of America. . . .

1. Printed: *Assembly Journal*, 59-60.

7-H. *Assembly Proceedings, Thursday, 22 February (excerpts)*¹

. . . A Message from his Excellency the Governor to the Legislature, transmitted to this House by the Honorable the Senate, was read, and is in the words following, *viz.*

“GENTLEMEN, . . .

“You will also receive with this message, for your information, a letter from his Excellency the Governor of North-Carolina, of the 12th January, with a copy of the act of that State therein referred to.

GEO. CLINTON.”

New-York, 19th February, 1787.

The several letters, copies of acts and resolutions, attending the said Message of his Excellency the Governor, were also read. . . .

Ordered, That the letter from his Excellency the Governor of North-Carolina, and the copy of a law of that State which accompanied the same, be referred to the Committee to whom the report of the Commissioners who met at Annapolis in September last, was on the 23d ultimo committed.

Then the House adjourned until ten of the clock to-morrow morning.

1. Printed: *Assembly Journal*, 62, 63.

7-I. *Newspaper Report of Assembly Proceedings*
*Friday, 23 February (excerpt)*¹

. . . A message from his excellency the governor, by his secretary, was received, covering a resolution of the United States in Congress assembled, of the 21st inst. recommending to this and to the United States, the calling a convention to meet at Philadelphia in May next, for the purpose of revising and amending the federal constitution: which, they shall report to the United States in Congress assembled, and to the states respectively—and when ratified by them, will be adequate to the preservation and protection of the union.

The said message also covered a letter from Simeon Dewitt, Esq. surveyor general of this state, concerning certain boundaries on the Northern part of the same.

Which message, with its enclosures, was referred to a committee of the whole house.

1. Printed: *New York Daily Advertiser*, 28 February.

7-J. *Lewis Morris, Sr., to Lewis Morris, Jr.*
*New York, 27 February (excerpts)*¹

My Dear Son

Tinker it is Said will Sail to Morrow therefore I just set down to write you a few lines we have now before us the great question whether we shall Send delegates to meet the delegates of the other States in a convention to be held at Phi[ladelphi]a in May for forming a confederation for the govert of the whole empire warm disputes are now going on in the house if it should be determined before this Vessel Sails will let you know the event. . . .

Most Affy

NB This is wrote in Senate which is the reason of So many interlineations—

1. RC, Accession No. 15903, N.

7-K. *Newspaper Report of Assembly Proceedings*
*Wednesday, 28 February (excerpt)*¹

. . . A message was received from the hon. the Senate, by Gen. Williams, with a resolution of nonconcurrency to the resolution of the house for chusing *five* delegates on Thursday, to represent this state in the proposed convention which is to meet in May next, in Philadelphia;—and offering to the house for concurrence a resolution for both houses, by joint ballot on Tuesday next, to proceed to the election of *three* delegates for the purposes before mentioned.

The house took the same into consideration, and the resolution of the senate was concurred in. . . .

1. Printed: *New York Daily Advertiser*, 3 March 1787.

7-L. *Newspaper Report of Assembly Proceedings*
*Tuesday, 6 March (excerpt)*¹

... The order of the day was then called for, when the house proceeded to nominate three delegates to represent this state in a convention to be held in Philadelphia in May next, for the purpose of revising and amending the federal constitution.

When on calling the Roll, the votes were,

For ROBERT YATES,	52.
ALEXANDER HAMILTON,	49.
JOHN LANSING, Jun.	26.
JAMES DUANE,	23.
ROBERT R. LIVINGSTON,	4.
JOHN TAYLOR,	1.
MELANCTON SMITH,	1.

It was then resolved that Robert Yates, Alexander Hamilton, and John Lansing, jun. Esqrs. be, and they are hereby nominated on the part of this house, as delegates from this state to meet in Convention, on the second Monday in May next, at Philadelphia, for the purpose of revising and amending the federal constitution, in conformity to the recommendation of Congress, of the 21st of February last.

The senate having been informed that the assembly were ready to compare the nominations of both houses, to make a joint election, attended in the assembly chamber, when they agreed to the nomination aforesaid, and declared those gentlemen to be delegates duly appointed for the purposes jointly expressed in the resolution.

1. Printed: New York *Daily Advertiser*, 8 March 1787.

8. New York Journal, 18 January 1787

NOTE.

☞ On account of an unforeseen *mishap* (since the first side of this paper was struck off) my address, as the late proprietor of this office, jointly with that of Mr. Oswald, expressive of our thanks for the public patronage—recommending the present proprietor, &c.—is unavoidably postponed this week; which otherwise would have taken the place of this short apology of

The Public's humble servant,
 ELIZABETH HOLT.

To the PUBLIC.

By the above address, in which the most friendly regards for the subscriber are rendered generously conspicuous, the public are respectfully informed—*of the relinquishment of this office and business to me.*

The NEW-YORK JOURNAL and WEEKLY REGISTER, it is well know, is not of modern date; the number at which I begin is 2094, inclusive. It may be presumed, that the liberal principles upon which this paper was at first founded,

and the zealous and unwearied pains which were taken to establish it amidst the turbulence of civil dissensions, at a crisis of the greatest disaffection to the cause of America—and to disseminate the glorious principles of religious and political freedom throughout the states—by its truly patriotic projector, the late Mr. JOHN HOLT, are not entirely erased from the memory of our fellow citizens.

Thus permanently established—not only as a vehicle of intelligence, but also of political and philosophical discussion—this paper circulated universally, uniting all ranks of people in a determined resolution—to oppose the arbitrary encroachments of British power, or to fall gloriously in the contest.

After the demise of Mr. Holt, the management of this paper was transferred to Col. E. OSWALD, whose sentiments so coincided with his predecessor's, that its continued utility has been universally acknowledged. Since September, 1785, it has been entrusted to the subscriber's superintendence, Mr. Oswald residing at Philadelphia: in this interim, also, flattering proofs have been afforded of its good reception—by large and respectable additions to the list of subscribers.—The question now is—shall this ancient JOURNAL, this detector of *treason*, and sentinel of *the rights of human nature*—fall to the ground?

Encouraged by the generous propositions of the late proprietor of this office, Mrs. HOLT (whose sensibility would be cruelly effected should this Journal expire) I have undertaken the arduous task of CONTINUING the PUBLICATION of it, hoping for, and depending upon, the continued patronage and support of all those, in their several departments, whom I have the honor now to address; in full confidence of which, I this day affix my name to the paper, as the PROPRIETOR, EDITOR and PRINTER, and shall send it to the respective subscribers dwellings in the city, and by the modes heretofore practiced to those in the country, until they shall order otherwise.

In the prosecution of this great undertaking—JUSTICE, the god of civilization, shall walk upright—*literature*, and the *sciences*, shall be patronized—*agriculture*, the *home manufactures*, and *commerce*, the three great pillars of our political constitutions, shall constantly be held to view—*christianity*, *patriotism*, and every moral and political *virtue*, shall be inculcated—the earliest foreign and domestic *intelligence* shall be communicated—choice *poetical* and *historical* pieces, as well as curious *tales* and *anecdotes*, shall be occasionally inserted.—No pecuniary emolument shall ever deter the editor from sounding the alarm in times of public danger, or threats prevent him from adhering strictly to his motto, in “dare-*ing* to accost e'en Kings themselves or Rulers of the Free,” when, they are found—to be *dangerous in office*. As justice is IMPARTIAL, so shall this paper be—and, on the whole, by endeavouring to support the honor and dignity of these states, the editor flatters himself that he shall support that of the *New-York Journal*, and *Weekly Register*.

A sacred regard shall be paid to all private characters, nor shall any anonymous scurrility, or billingsgate addresses to, or observations upon, individuals in domestic life, find a place in this paper. He conceives it to be a printer's duty, always

to distinguish between the *sacred* FREEDOM of the PRESS (by all these states, in particular, esteemed a darling privilege) and the *vile* LICENTIOUSNESS of it.

In order thus to conduct, a continuation of the favors of literary correspondents, such as—a Gustavus, a Republican, a Brutus, a Quaker, a Philanthropos, &c. &c. are necessary, which he again earnestly solicits, not doubting of their friendly and patriotic compliance.

This paper will be printed, as heretofore, only *once* a week (on Thursday) at the low price of TWO DOLLARS per annum; it shall contain, however, either by compendium, or in full, as the quantity of matter will allow, all the intelligence that may be interesting; more than which a paper published every day, at a great expence, cannot do. It is the only weekly (and the cheapest) paper printed in this city; which, the Editor humbly hopes, will induce the present subscribers to continue such, and others to annex their names to the subscription list. He likewise flatters himself, that the circumstance of its extensive circulation, both in city and country, will prevail with those gentlemen who frequently ADVERTISE, to favor, with some of their custom, him, who professes to be, with profound veneration,

The Public's most obedient, Humble servant,
THOMAS GREENLEAF.

New-York, January 18, 1787.

N. B. AS MONEY is an absolute requisite in the prosecution of any business, particularly the printing art, the subscribers in general are requested to advance *one dollar* on each of their subscriptions, the first convenient opportunity.

☞ Newspaper correspondents, in Europe and America, of the fraternity of printers, and others, are requested to continue sending their several late political publications and newspapers to this office, altering the address to the present proprietor, and, as usual, to accept of this paper, &c. in return.—Note-well.—Every friendly good office of any of the brotherhood of *typographers* in the united-states, shall meet with a generous reciprocation, which the smallest notice shall be sufficient to effect.

9. Sydney

New York Gazetteer, 29 January 1787¹

COPY of the SEVEN ARTICLES *reported*, and now lying on the table of CONGRESS; with CONSIDERATIONS *thereon*.

The Grand Committee, consisting of Mr. Livermore, Mr. Dane, Mr. Manning, Mr. Johnson, Mr. Smith, Mr. Symmes, Mr. Pettit, Mr. Henry, Mr. Lee, Mr. Bloodworth, Mr. Pinckney and Mr. Houstoun, appointed to report such amendments to the Confederation, and such Resolutions as it may be necessary to recommend to the several States, for the purpose of obtaining from them such powers as will render the Federal Government adequate to the ends for which it was instituted,

Beg leave to submit the following Report to the consideration of Congress.

Resolved, That it be recommended to the legislatures of the several states to adopt the following articles, as articles of the confederation, and to authorise their delegates in Congress to sign and ratify the same severally as they shall be adopted, to wit:

ARTICLE XIV.

The United States in Congress assembled shall have the sole and exclusive power of regulating the trade of the states, as well with foreign nations as with each other, and of laying such prohibitions, and such imposts and duties upon imports and exports, as may be necessary for the purpose; provided the citizens of the states shall in no instance be subjected to pay higher duties and imposts than those imposed on the subjects of foreign powers; provided also, that all such duties as may be imposed, shall be collected under such regulations as the United States in Congress assembled shall establish, consistent with the constitutions of the states respectively, and to accrue to the use of the state in which the same shall be payable; provided also, that the legislative power of the several states shall not be restrained from laying embargoes in times of scarcity; and provided lastly, that every act of Congress for the above purpose, shall have the assent of nine States in Congress assembled, and in that proportion when there shall be more than thirteen in the union.

ARTICLE XV.

That the respective states may be induced to perform the several duties, mutually and solemnly agreed to be performed by their federal compact; and to prevent unreasonable delays in any state in furnishing her just proportion of the common charges of the union when called upon, and those essential evils which have heretofore arisen to the confederacy from such delays, it is agreed, that whenever a requisition shall be made by Congress upon the several states on the principles of the confederation, for their quotas of the common charges or land forces of the union, Congress shall fix the proper periods when the states shall pass legislative acts complying therewith, and give full and complete effect to the same; and if any state shall neglect seasonably to pass such acts, such state shall be charged with an additional sum to her quota, called for from the time she may be required to pay or furnish the same, which additional sum or charge shall be at the rate of ten per cent. per annum on her said quota; and if the requisition shall be for land forces, and any state shall neglect to furnish her quota in time, the average expence of such quota shall be ascertained by Congress, and such state shall be charged therewith, or with the average expence of what she may be deficient, and in addition thereto, from the time her forces were required to be ready to act in the field, with a farther sum, which sum shall be at the rate of twelve per cent. per annum on the amount of such expence.

ARTICLE XVI.

And that the resources of any state which may be negligent in furnishing her just proportion of the common expence of the union, may in a reasonable time be applied, it is further agreed, that if any state shall so neglect as aforesaid, to pass laws in compliance with the said requisition, and to adopt measures to give the same full effect, for the space of ten months, and it shall then or afterwards

be found that a majority of the states have passed such laws, and adopted such measures, the United States in Congress assembled shall have full power and authority to levy, assess and collect all sums and duties with which any such state so neglecting to comply with the requisition, may stand charged on the same by the laws and rules by which the last state tax next preceding such requisition in such state, was levied, assessed, and collected; to apportion the sum so required on the towns or counties in such state, to order the sums so apportioned to be assessed by the assessors of such last state tax, and the said assessments to be committed to the collectors of the same last state tax, to collect and to make return of such assessments and commitments to the treasurer of the United States, who, by himself, or his deputy, when directed by Congress, shall have power to recover the monies of such collectors for the use of the United States, in the same manner and under the same penalties as state taxes are recovered and collected by the treasurers of the respective states; and the several towns or counties respectively shall be responsible for the conduct of said assessors and collectors, and in case there shall be any vacancy in any of said offices of assessors or collectors, by death, removal, refusal to serve, resignation or otherwise, then other fit persons shall be chosen to fill such vacancies in the usual manner in such town or county, within twenty days after notice of the assessment, and in case any towns or counties, any assessors, collectors or sheriffs, shall neglect or refuse to do their duty, Congress shall have the same rights and powers to compel them, that the state may have in assessing and collecting states taxes.

And if any state, by any legislative act, shall prevent or delay the due collection of said sums, as aforesaid, Congress shall have full power and authority to appoint assessors and collectors thereof, and sheriffs to enforce the collections under the warrants of distress issued by the treasurer of the United States; and if any further opposition shall be made to such collections by the state or the citizens thereof, and their conduct not disapproved of by the state, such conduct, on the part of the state, shall be considered as an open violation of the federal compact.

ARTICLE XVII.

And any state which, from time to time, shall be found in her payments on any requisition in advance on an average of the payments made by the states, shall be allowed an interest of per cent. per annum on her said advanced sums or expences; and the state which, from time to time, shall be found in arrears on the principles aforesaid, shall be charged with an interest of per cent. per annum, on the sums in which she may be so in arrear.

ARTICLE XVIII.

In case it shall hereafter be found necessary by Congress to establish any new systems of revenue, and to make any new regulations in the finances of the United States for a limited term, not exceeding fifteen years in their operation, for supplying the common treasury with monies for defraying all charges of war, and all other expences that shall be incurred for the common defence or general welfare; and such new systems or regulations shall be agreed to and adopted by the United States in Congress assembled, and afterwards be confirmed by the legislatures of eleven states, and in that proportion when there shall be more

than thirteen states in the union, the same shall become binding on all the sates as fully as if the legislatures of all the states should confirm the same.

ARTICLE XIX.

The United States in Congress assembled shall have the sole and exclusive power of declaring what offences against the United States shall be deemed treason, and what offences against the same, misprision of treason, and what offences shall be deemed piracy or felony on the high seas, and to annex suitable punishments to all the offences aforesaid respectively, and power to institute a federal judicial court, for trying and punishing all officers appointed by Congress, for all crimes, offences, and misbehaviour in their offices, and to which court an appeal shall be allowed from the judicial courts of the several states, in all causes wherein questions shall arise on the meaning and construction of treaties entered into by the United States with any foreign power, or on the law of nations, or wherein any question shall arise respecting any regulations that may hereafter be made by Congress relative to trade and commerce, or the collection of federal revenues pursuant to powers that shall be vested in that body, or wherein questions of importance may arise, and the United States shall be a party; provided, that the trial of the fact by jury shall ever be held sacred, and also the benefits of the writ of *habeas corpus*; provided also, that no member of Congress, or officer holding any other office under the United States, shall be a judge of said court; and the said court shall consist of seven judges, to be appointed from the different parts of the union, to wit, one from New-Hampshire, Rhode-Island and Connecticut, one from Massachusetts, one from New-York and New Jersey, one from Pennsylvania, one from Delaware and Maryland, one from Virginia, and one from North-Carolina, South-Carolina and Georgia, and four of whom shall be a quorum to do business.

ARTICLE XX.

That due attention may be given to the affairs of the union early in the federal year, and the sessions of Congress made as short as conveniently may be, each state shall elect her delegates annually before the first of July, and make it their duty to give an answer before the first of September in every year, whether they accept their appointments or not, and make effectual provision for filling the places of those who may decline, before the first of October, yearly, and to transmit to Congress by the tenth of the same month, the names of the delegates who shall be appointed and accept their appointments, and it shall be the indispensable duty of delegates to make a representation of their state in Congress, on the first Monday of November annually; and if any delegate or delegates, when required by Congress to attend so far as may be necessary to keep up a representation of each state in Congress, or having taken his or their seat, shall withdraw without leave of Congress, unless recalled by the state, he or they shall be proceeded against as Congress shall direct; provided no punishment shall be further extended than to disqualifications any longer to be members of congress, or to hold any office of trust or profit under the United States, or any individual state, and the several states shall adopt regulations effectual to the attainment of the ends of this article.

CONSIDERATIONS *upon the SEVEN ARTICLES Reported,*
and now lying on the Table of CONGRESS.

It may not be improper, before I proceed to consider these Articles separately, to call to mind, by way of premise, that the Confederation, as well as the several Constitutions, are founded upon this evident maxim,^(a) that all authority originates with the People; who, in establishing their government, may lay “its foundation on such principles, and organize its powers in such form, as to them shall seem most likely to effect their safety and happiness.” The authors that have treated on Governments, generally divide them into three sorts, viz. Monarchy, Aristocracy, and Democracy; and observe, that every one is attended with certain inconveniencies^(b): “That a perfect government would be that which would unite in itself all the advantages of the three former, and avoid the danger and inconveniencies they include.” Or, in the words of Polybius,^(c) “Which is composed of a due admixture of monarchy, aristocracy, and democracy;” and then it would be called, a Republican, or mixed government; such, even now in their corrupted state, are the English and Dutch governments.

But here the difficulty arises, which and what proportion of ingredients should be taken out of each to make up this compound? Or, in the words of Montesquieu,^(d) “To combine the several powers, to regulate, temper, and set them in motion; to give, as it were ballast to the one, in order to enable it to resist the other.”

The 3d Article of the Confederation explains the motives that induced the People, and their Legislatures, to confederate, viz. “The said States hereby severally enter into a firm league of friendship with each other, for their common defence, the security of their liberties, and their mutual and general welfare; binding themselves to assist each other against all force offered to, or attacks made upon them, or any of them, on account of *religion, sovereignty, trade*, or any other pretence whatever.”

The English and Dutch constitutions, (which have served, it is said, like the pole star, to the framers of the Confederation,) possess, the one too great a proportion of monarchial, the other of aristocratical ingredients; both which were to be carefully avoided.

Again, Montesquieu^(e) divides every government into three sorts of power,—the *legislative*, the *executive*, in respect to things dependent on the *law of nations*, and the *executive*, in regard to things that depend upon the *civil law*; and that, by virtue of the first, the Prince or Magistrate enacts temporary or perpetual laws, and amends or abrogates those that have been already enacted. By the second, he makes *peace or war; sends and receives ambassadors; establishes the public security*, and provides against *invasions*. By the third, he punishes *criminals*, or *determines the disputes* that arise between *individuals*; the latter we shall call the *judiciary*, and the other the *executive* power of the state.”

It is supposed that the framers of the Confederation, have had this division in view, as it invests Congress with the executive only, as far as it regards the law of nations, and such other instances as are particularly specified in the Confederation, and leaves the residue to be exercised by the respective states.

This construction, I presume, is supported by the second article of the Confederation, whereby “each state retains its sovereignty, freedom, and independence, and every power, jurisdiction and right, which is not by this Confederation expressly delegated to the United States in Congress assembled.”

Congress may declare war, and order land forces to be raised, who shall serve under their commissions; but it remains in the States to *furnish the money to pay and feed them*, and to *appoint all officers, from a colonel down*; so Congress have power to make *treaties of commerce*; but it is left in the States to *lay the duties both upon imports and exports*: But, in no case, is Congress invested, as by their resolution of the 23d of August, 1786, seems to be their wish, with legislative or judicial powers: And the reason is evident; the Confederation was not intended by any means to consolidate the several States into *one general commonwealth*, which appears likely to be the view of the Committee in the Report under consideration; but to form like the United Netherlands, in the words of Temple,^(f) “A confederacy of thirteen sovereign States, united together for their common and mutual defence, without any dependence one upon the other:” And so are the Swiss^(g) Cantons.

There is a striking resemblance between the powers required by these Seven Articles, and those claimed by the Parliament of Great Britain in their declaratory act; upon which was engrafted the conciliatory motion of Lord North, and the resolution of the House of Commons of the 20th February, 1775.^(h) “It is declared, (says Congress) that Parliament can of right make laws to bind us in all cases whatsoever.” By these articles Congress would be invested with powers *legislative, executive, and judicial*.

The objection, that we then can make no alteration at all in our foederal system, however necessary and essential to the common safety and interest, is, I conceive, going upon the contrary extreme; because there is an express provision to that end in the last clause in the Confederation; we are only to take care, that we preserve the spirit of the Confederation; for if we depart from that, under the idea of making alterations, we assume the power of annihilating the old, and forming a new compact. And to this Vattal⁽ⁱ⁾ is in point. “It is here demanded,” (he says) whether, if their power” (that is the Legislative) “extends so far as to the fundamental laws, they may change the constitution of the State? The principles we have laid down lead us to decide this point with certainty, that the authority of these Legislators does not extend so far; and that they ought to consider the fundamental laws as sacred, if the nation has not, in very express terms, given them the power to change them. For the constitution of the State ought to be fixed; and since that was first established by the nation, which afterwards trusted certain persons with the legislative power, the fundamental laws are excepted from their commission. It appears, that the society had only resolved to make provision for the State’s being always furnished with laws suited for particular conjunctures, and gave the Legislature, for that purpose, the power of abrogating the antient civil and political laws, and making new ones; but nothing leads us to think that it was willing to submit the constitution itself to their pleasure. In short, these Legislators derive their power from the constitution; how then can they change it, without destroying the foundation of their

authority? By the fundamental laws of England, the two Houses of Parliament, in concert with the King, exercise the legislative power; but if the two Houses should resolve to suppress themselves, and invest the King with full and absolute government, certainly the nation would not suffer it; and who can presume to say, that they would not have a right to oppose it?"

If then the Confederation vests Congress with part of the executive power only, and that they have no share in the legislative and judicial powers, the adoption of the seven new articles would materially change the federal system, by vesting Congress, not only with the executive, but also with the legislative and judicial powers,^(j) and thereby destroy the independence and sovereignty of the individual States.

The dispute, therefore, cannot be between the Legislatures of the different States and Congress, whether these powers shall be taken from the one and transferred to the other. It would be such an essential change in the fundamental^(k) principles of our government, as would surpass the power of legislation, and require the assent of the people at large.

"For certainly, when the people have vested civil power"^(l) (says Rutherford) "in any particular man, or body of men, this grant of theirs does not imply that such power is alienable; that the man, or the body of men, in whom it is so vested, have a right, either to exercise it themselves, or to alienate it to any one else at their own discretion; since a power to govern, does not imply a power to chuse and appoint a governor. Mr. Locke's reasoning upon this head seems to be decisive. The Legislature cannot transfer the power of making laws to any other hands; for it being a delegated power from the People, they who have it cannot pass it over to others.

The People alone can appoint the form of the Commonwealth; which is by constituting a Legislature, and appointing in whose hands that shall be; and when the People have said, we will submit to rules, and be governed by laws made by such men, and in such form, no body else can say, other men shall make laws for them; nor can the people be bound by any laws, but such as are enacted by those whom they have chosen and authorised to make laws for them; the power of the Legislature being derived from the People by a positive voluntary grant and institution, can be no other than what that positive grant conveyed, which being only to *make laws*, and *not to make legislators*, the Legislature can have no power to transfer their authority of making laws, and place it in other hands."

I shall conclude these introductory observations with the words of Brutus:^(m) "Let Cicero then live in submission and servitude, since he is capable of it; and neither his age, nor his honors, nor his past actions, make him ashamed to suffer it! For my own part, no condition of slavery, how honorable soever it may appear, shall hinder me from declaring war against tyranny, against decrees irregularly made, against unjust dominion, and every power that would set itself above the laws."

I shall now proceed to consider these proposed Articles separately.

Article XIV. The 14th Article appears to be calculated to repeal, by implication, some of the fourth, and the first part of the ninth Articles of the Confederation. By the former, "The people of each State, shall have free ingress and

regress, to and from any other State, and shall enjoy there all the privileges of trade and commerce, subject to the same duties, impositions and restrictions as the inhabitants thereof respectively." By the latter, "No treaty of commerce shall be (by Congress) made, whereby the *legislative* power of the respective States shall be *restrained* from *imposing* such *imposts* and *duties* on foreigners, as their own people are subjected to, or from *prohibiting* the *importation* or *exportation* of any species of goods or commodities whatsoever."

Should my apprehensions be right, that by adopting this Article, the parts aforesaid of the 4th and 9th Articles of the Confederation will be virtually repealed and rendered a dead letter; then there will be no limitation to the construction of this 14th Article, but the States left at the mercy of Congress, to be played off against each other, with extra duties upon the Articles that would most distress the State that might unfortunately fall under their displeasure. For even the proviso, which, at first view, would seem to limit, will give a colour to the latitude of construction: which will appear the more obvious, when contrasted with the proviso in the confederation. *By this* the Legislature can lay *no higher* or other *duties* than such as their *own people* are subjected to: *by that* "the citizens in the States shall, in no instance, be subjected to pay higher duties and imposts, than those *imposed on the subjects of foreign powers*." By the one, *the Legislature* is restricted to lay no higher duties than upon *themselves* and *friends*: by the other, there would be no bounds to *Congress*, but that of *a foreigner*, who from a thousand different considerations, may be *loaded with duties*, even in some cases amounting to a *prohibition*.

The other proviso, that the duties shall be collected under *regulations consistent* with the *constitutions*, and the [painful?] one about *embargoes*, altho' they seem to carry with them in idea the promise of security, against the violations of the rights established by the constitutions, would be of little avail.

Arts. XV. XVI. XVII. The danger in adding the 15th, 16th, and 17th Articles to the Confederation, will appear the more conspicuous, if we take into view the claim of Congress without them, viz. "by the confederation,⁽ⁿ⁾ congress have an *absolute discretion* in determining the *quantum* of the *revenue* requisite to the national expenditure; when this is done, *nothing* remains for the *States* separately but the *mode* of raising; *no State* can *dispute* the obligation to pay the *sum* demanded without a *breach* of the *confederation*; and when the money comes into the treasury, the *appropriation* is the exclusive province of the foederal government."^(o) If we add to this, the power congress have already assumed, of granting *pensions*, and of laying their *officers* under an oath of *secrecy*; the power of levying *armies* in time of profound peace, at their discretion; and all this in connection with these 15, 16, and 17 proposed Articles. For although the 17th, abstractedly considered, might be proper; but when considered in connection with the other two, and forming one system, and the whole, with the above-mentioned enormous claim of congress already, it would give such force to that doctrine, that the most dangerous consequences might be apprehended. And to expect, in the words of Hume upon a similar occasion,^(p) "That the public will be convinced by such reasoning, must aggravate the general indignation, by adding, to violence against men's persons and their property, so cruel a mockery of their understanding."

Art. XVIII. It appears to be the intention of this eighteenth article to explain, as if it was now doubtful, whether by the confederation a requisition can be made for more than one year; and whether any alteration can be made therein, but by the unanimous consent of all the states in the union.

“Were there,” says Grotius, “no articles agreed on, or laws that expressed the precise form of managing affairs, the majority would naturally have the right and authority of the whole.”^(q)

But when there is a compact, the same author observes, “That then it is to be determined by looking into the intentions of those who originally framed the compact; which can never be reasonably imagined to be such as to invest the body with a power to cut off its own members when it pleases.”^(r)

Which by this article may be done by eleven states, and “become binding on all the states, as fully as if the legislatures of all the states should confirm the same.”

When by the thirteenth article of the confederation it is so expressly forbid, viz.

“Nor shall any *alteration* at any time hereafter be made *in any of them*, unless such alteration be agreed to in congress of the united states, and be afterwards confirmed by the *legislatures* of *every state*.”

If no notice is to be taken of this restriction, and that it might be done by eleven states, it follows, that it may be done by seven, the majority: Because, the same reasoning that will oblige *two* to follow the dictates of *eleven*, will oblige *six* to follow the dictates of *seven*; unless that those, who mean to effect it, have *force*, not *reason*, in contemplation. And that this may appear an intimation not so foreign from the subject, I wish the reader may turn back to the XVIth article, where he will find a number of cases stated, in which by the XIXth article, the court to be appointed by congress are to be judges; until at last he gets to the *ne plus ultra*, when nothing else but force will operate; namely, first, the people may lose their executive power; then the legislative; and next, the delinquent state is guilty of an open violation of the federal compact; which is, I presume, to be considered among the states, as an outlawry in the ordinary course of law.

Art. XIX. I perceive by the 19th Article, it is the wish of congress to have the sole and exclusive power to *declare*; that is, to *make laws*: the most important, (says Dalrymple),^(s) of all laws in a constitution; what offences against the United States shall be deemed *treason*, and to *establish courts*, and to have the *appointment*, under certain restrictions, of the *judges* to try their *own officers*, and to be a court of *appeals* from the *judicial courts* of the several States, in all causes, wherein questions shall arise about the *construction* of *treaties*, the *law of nations*, the *regulation of trade*, the *collection of revenues*, and among the rest, wherein *questions of importance* may arise, and the *United States* shall be a party; as if the indefinite word, *importance*, was sufficient to restrict. If congress were invested with an exclusive jurisdiction of about 8 or 10 miles square, as appears, by their resolve of the 21st October, 1784, to be their desire, the power to make these laws, and establish a court to operate within that jurisdiction, might be practicable; but in their present situation, I suppose that this power could not be set in motion, as it would interfere with the rules and law maxims; and being so undefined, might

be applied, so as to restrain the liberty of the press, and indeed to any and every case and emergency; and so, like Pandora's Box, might daily be made to issue forth new evils. So it was in the reign of Henry the Fourth, when the parliament, says Rapin,^(t) "Had in such a manner multiplied the cases of treason, that none but such as acknowledged in the sovereign an unlimited power, could possibly avoid incurring the guilt of high treason."

Again, if it be intended that the jurisdiction shall extend, as in England the king's bench does, over the whole foederal union, and the criminal, or defendant, liable to be carried out of the county or state where the crime was committed, into the county or state where the court then may be sitting, it will be attended with a grievance, similar to what we have too lately complained of to be forgot, namely, the extending the statute of treasons, in the time of Henry the Eighth, to America. Congress mention, the 6th July, 1775, and again, the 4th July, 1776. "That it has been resolved in parliament, that colonists, charged with committing certain offences, shall be transported to England to be tried."

The proviso, "That the trial of the fact by jury shall ever be held sacred, and also the benefit of the *habeas corpus*," seems intended to be understood as a mountain in the way of any violation of that privilege, which, by the by, if we consider the whole together, would, to a judge like Jefferies, be less than a mole-hill. But if we suppose that it would have that effect, even in that point of view, if it should secure us from mischief, it can do us no good: For neither the court nor the powers are wanted, because every state is provided with laws against treason, and the mode of proceeding, as far as they may interfere with each other, pointed out in the fourth article of the confederation. "If any person guilty of, or charged with treason, felony, or other high misdemeanor, in any state, shall flee from justice, and be found in any of the united states, he shall, upon demand of the governor or executive power of the state from which he fled, be delivered up, and removed to the state having jurisdiction of his offence."

Art. XX. The rules laid down in the first part of this 20th Article, for what I know, may be proper: but I am doubtful, whether the latter part would not be exceeding improper, viz. "And if any delegate or delegates, when required by congress to attend, so far as may be necessary to keep up a representation of their state in congress, or having taken his or their seat, shall withdraw without the leave of congress, unless recalled by the state, he or they shall be proceeded against, as congress shall direct; provided no punishment shall be further extended than to disqualifications any longer to be members of congress, or to hold any office of trust or profit, under the United States, or any individual State." No doubt the power of expelling a refractory member, is necessary in all bodies: but that the delegate, after having been expelled, should be rendered infamous, in so far as to be incapable of holding any office of trust or profit, either under the United States, or any individual state, appears to me, would be dangerous, not only to the delegate, but to the state he represented, and probably to the union at large; seeing that all public bodies, at times, will do things in their public capacity as a body, which, as individuals in their private capacity, they would blush at; and when in that career, it often so happens, that a member makes himself obnoxious, for no other reason in reality than acting like an *honest man*;^(u) but something *ostensible* is trumped up against him, by which for a time,

their sinister designs are concealed, and the people amused; but if, when discovered, the delegate could not be appointed, it would not only be a hardship upon that person, but the state lose the service, perhaps, of the most necessary man in that body.

When in the case of Wilkes, parliament entered into a like resolution, 60,000 men petitioned the king for their dissolution.^(v)

I shall conclude these remarks, with an opinion of the British parliament, out of *Lex Parliamentaria*, page 433, where they roundly assert, "That the prerogative of princes may easily, and do daily grow and increase; but the privileges of subjects are, for the most part, at an everlasting stand: they may be good providence and care be preserved; but being once lost, are not to be recovered, but with disquiet and disorder."

(a) Constitution of New-York. The Declaration of Independence. Vattal, 18, 34.

(b) 4 Rollin B. letters, 101.

(c) Montague, 361, 364.

(d) Montesquieu, book v, chap. 14.

(e) Montesquieu, book xi, chap. 6. Vattal 18.

(f) Temple 30.

(g) See Bowen's System of Geography, 750. 2d Guthrie, 562.

(h) 1 Journals of Congress, [104?], 143, 188.

(i) Vattal 18.

(j) 3 Burgh, 20. "When the efficiency of Government (says Burgh) goes from where the Constitution placed it, into hands which have no right to it, that state is far gone toward ruin."

(k) Montague 363. "Polybius (cited by Montague) after having traced government up to its first origin, explains the principles by which different governments arose to the summit of their power and grandeur; and proves that they sunk to ruin, by a more or less rapid progress, in proportion as they receded more or less from the first principles on which they were originally founded."

(l) Rutherford 138, 141. Vattal 18, 30, 31.

(m) 4 Rollin 142.

(n) See the address of Congress, 26th April 1783. 8 Journals, 208.

(o) How different this from the language of Congress the 31st July, 1773, 1 Journals, 189, "That as the Colonies possess a right of appropriating their gifts, so are they entitled at all times to enquire into their appropriation, to see that they be not wasted among the venal and corrupt, for the purpose of undermining the civil rights of the givers; nor yet be diverted to the support of standing armies, inconsistent with their freedom and subversive of their quiet. To propose therefore, as this resolution does, that the monies given by the Colonies shall be subject to the disposal of parliament alone, is to propose that they shall relinquish this right of enquiry, and put it in the power of others to render their gifts ruinous, in proportion as they are liberal.

"That the privilege of giving or with-holding our monies, is an important barrier against the undue exertion of Prerogative; which, if left altogether without controul, may be exercised to our great oppression: And all history shews how efficacious is its intercession for the redress of grievances and re-

establishment of rights, and how improvident it would be, to part with so powerful a mediator.”

(p) 6 Hume, 253.

(q) Grotius, 2 book, chap. 5. xvii. Vat. 18. 33.

(r) Grotius, z B. ch. 6. iv. 3 B. ch. 118. vi.

(s) Dalrymple iv.

(t) 5 Rapin, 7. 4 Hume, 290.

(u) “Where waste of the public treasure has obtained in a court, all good order is banished; because he who would promote it, and be frugal for his prince, is looked upon as a common enemy to all the rest.” 1 *Burgh*, 379.

(v) See 1 *Burgh*, 34.

1. Reprinted: Philadelphia *Independent Gazetteer*, 5, 6 February; Boston *American Herald*, 12, 19 February; Newburyport, Mass., *Essex Journal*, 14 February; *Virginia Independent Chronicle*, 21 February; *Worcester Magazine*, last week in February; and Pennsylvania *Carlisle Gazette*, 14 March.

10. New York Gazetteer, 12 March 1787¹

GENERAL ORDERS,

Poughkeepsie, March 5th, 1787.

Undoubted intelligence having been received, that a number of the insurgents from the state of Massachusetts, had fled into this state, and were embodied in arms, the Senate and Assembly did thereupon, by concurrent resolutions, recommend it to his Excellency the Commander in Chief, “To repair as soon as possible to the place or places where the insurgents might be within this state, and to call out such of the militia as should be necessary for apprehending and securing the insurgents, and for preserving the peace of this state against the designs and attempts of the insurgents, their aiders and abettors;” and his Excellency not being at present fully informed of their situation and numbers, so as to ascertain the force requisite to subdue them, directs, that Van Ness’s, Payne’s and Van Bunschoten’s regiments of Dutchess county, and the brigade of Columbia county, hold themselves in readiness to march at a moment’s warning.

By the free constitutions of these states, the people enjoy the right of electing their rulers, and the elections are as frequent as can possibly consist with convenience; they have it therefore fully in their power by the mere exercise of the right of election, to relieve themselves from the operation of laws which they may deem grievous, or in any wise improper, and cannot justify recurring to violence, and involving their country in confusion and bloodshed, in order to produce a change in public measures.

The Articles of Confederation are a solemn compact between the States for mutual defence against all attempts, on any pretence whatever, which may be made against their sovereignty or government; and it is expressly stipulated, that all fugitives from justice shall be delivered up.—From these considerations his Excellency persuades himself, that the militia will be prompt to their duty on this occasion, in repelling those, who by violating the peace, and attempting to subvert the government of one state, may eventually endanger the general safety and freedom of the Union.

His Excellency has during the late war had repeated proofs of the patriotism of the militia in that quarter of the state where it is reported that the insurgents have intruded themselves, and he has confidence that the same virtue still exists, and will equally manifest itself in preserving and supporting, as it hath heretofore done, in establishing a government which has this peculiar felicity, that it not only originated in the will and choice of the people, but they can also, in virtue of the rights of election, always controul the administration, without a violation of peace and good order.

1. Reprinted in the Poughkeepsie *Country Journal*, 14 March, *New York Daily Advertiser*, 15 March, *New York Journal*, 15 March, and in eight out-of-state newspapers by 28 March: N.H. (1), R.I. (1), Conn. (2), Pa. (2), Md. (1), Va. (1).

11. Sidney

New York Gazetteer, 9 April 1787¹

“There are two sorts of corruption: one when the people do not observe the laws, the other when they are corrupted by the laws—an incurable evil, because it is in the remedy itself.” 1, Montesquieu, 107.

“A state may alter two different ways, either by the amendment or by the corruption of the constitution. If it has preserved its principles, and the constitution changes, it is owing to its amendment; if, upon changing the constitution, its principles are lost, it is because it has been corrupted.” 1 Montagne, 209.

To the HONORABLE
The Senate and Assembly
Of the State of NEW-YORK.

I find that your commissioners, in consequence of the appointment of the 5th May, 1786—To “take into consideration *the trade and commerce* of the United States; to consider how far an uniform system in their *commercial intercourse* and *regulation* might be necessary to their common interest and permanent harmony: and to report to the several states such an act relative *to this great object*, as when unanimously ratified, will enable the United States in Congress assembled to provide for the same;”—have, by their report, dated Annapolis, the 14th September, 1786, recommended an extension of the powers, and another meeting “on the second Monday in May next, to take into consideration the *situation* of the United States; to *devise* such *farther provisions* as shall *appear* to them *necessary* to render the constitution of the fœderal government adequate to the *exigencies of the Union*.”

That by a concurrent resolution of the 20th Feb. 1787, you instruct your delegates to “move in Congress for an act, recommending to the states composing the Union, that a Convention of representatives from said states respectively be held and meet at a time and place to be mentioned in such recommendation, for the purpose of revising the articles of Confederation.”

And that the next day, viz. 21st Feb. 1787, Congress take up the matter, and recite that

“Whereas there is a provision in the articles of confederation and perpetual union for making alterations therein, by the assent of *a Congress* of the United

States, and of the legislatures of the several states: And whereas experience hath evinced that there are *defects* in the present *confederation*, as a mean to remedy which *several* of the states, and *particularly the state of New-York*, by *express instructions* to their *delegates* in Congress, have suggested a Convention for the purposes expressed in the following resolution, and such Convention appearing to be the most *probable mean of establishing in these states a firm national government*:

Resolved, That in the opinion of Congress it is expedient that, on the second Monday in May next, a *Convention of Delegates*, who shall have been appointed by the several states, be held at Philadelphia, for the sole and express purpose of *revising the articles of Confederation*, and reporting to Congress and the several legislatures such alterations and provisions therein, as shall, when agreed to in Congress, and confirmed by the states, render the fœderal constitution adequate to the *exigencies of government*, and the preservation of the Union."

I beg leave to ask your Honors, with all due submission, whether you have not too hastily gone into this measure, and now stand upon dangerous ground, as you have laid open the whole confederation? Not only so, but you appear now as the ostensible state in the Union in proposing the measure; which, perhaps, you may find hereafter was not necessary. For, altho' your commissioners decline an enumeration of those "*national circumstances* in which their opinion respecting the propriety of a *future Convention* with more enlarged powers," is founded, you needed not have been at a loss to know, what was *the object in view*; or what is meant by the words, the *establishing in these states a firm national government*. The transactions from time to time have narrowed the subject matter, which is drawing to a point. You have only to call to mind the system of politics, which, under different modifications, has been pursued since 1780, to *fund*, if not to *perpetuate*, the national debt; to augment the powers, and to vest Congress with an independent revenue, "a principal object whereof^(a) (they say) was, to *procure loans abroad*. We must *pledge an ascertained fund*, simple and *productive* in its nature, general in its principle, and at the disposal of a *single will*;" and again, remark, as an *essential* part of the *plan*, that *the fund* should depend on a *single will*.^(b) On the 23rd Aug. 1786, that honorable body were no less explicit, when they say, "That the investing the United States in Congress assembled with *this power*; which includes that of *forming* the necessary *regulations* or *revenue laws*, with suitable *penalties*, of *declaring* the *money* in which the said *duties* shall be received; of *establishing* the *number* of *revenue officers*, and *ascertaining* their duties; *has been*, and *must be*, considered as an *essential* part of the *plan* submitted to the several legislatures for their adoption."

While that honorable body are already in the *exercise* of the *power* of *levying armies* in time of profound peace; their *servants*, even those in the *exchequer department*, under an *oath of secrecy*, and themselves exercising the *dangerous powers* of *taking money on loan*, and granting *pensions*^(c) and *annuities*. The legislature of this state, in their embassy to Hartford (which is sometimes held up to view, compared with their refusing to adopt the system of Impost, of the 18th April, 1783, as inconsistent conduct) altho' I am apprehensive it has unhappily tended to disseminate monarchical principles, have in their excuse the calamitous situ-

ation this state was then in: Besides, they carried their ideas no farther than *during the war, or until a perpetual confederation should be compleated*^(d): for it was supposed by the legislature, and so was the opinion of Congress, 17th Nov. 1777,^(e) that our difficulties, at least partly, arose from the confederation not being compleated.

And so the legislature, at their last meeting, seeing that the clause in the confederation directing the *commercial regulations*, is so worded that it seems to be left to the discretion of the United States in Congress assembled, and the several legislatures, to make such arrangements as they shall think proper, provided (for that seems to be the criterion) that by such arrangements the *one* shall not be *invested* with the *duties* arising from trade, nor shall the *other* exercise the *power of entering into treaties of commerce*.

I am very apprehensive that, on the footing it now stands (for, as I have mentioned before, the whole confederation lies open to these delegates to report—what? *for the purpose of revising the articles of confederation*) that matters may be taken up and recommended in the report, which may appear to the legislature inconsistent with the constitution and safety of the people they represent: For should these delegates report, as it is the wish of some gentlemen they should do, that in their opinions the good of the Union required that the legislature should part with the principal part of their legislative power, would the legislature be warranted in so doing? And would they not, by so doing, place their constituents in a still worse situation than the Irish were after Poyning's Laws; for altho' (in the words of Blackstone) there "was no power left in the parliament of Ireland of preparing or altering laws, they retained the negative, or power of rejecting laws."

Of late it seems to be admitted by some, that it would be unsafe to vest Congress with three dangerous powers, but as an expedient, it is proposed to lodge these three great qualities of government with a body distinct from Congress, and distinct from the legislatures; as if the danger of combining these powers, would be guarded, by giving a new name to the body in which they are to be vested! a poor evasion! This danger is not apprehended from particular persons; but from placing these extraordinary powers in the same hands: the propriety and impropriety of such a measure, has undergone a full discussion, at the time the confederation and the several constitutions were under consideration: and what government, with its concomitant conveniencies and inconveniencies, we had to chuse.

This new body, give it what name you will, would have powers, such as never were passed by any man, or body of men, in a state in which the liberty of the people remained long in safety.

It is said, that it is become absolutely necessary something should be done, because the requisitions of Congress are not so productive as they might; that they are not, is admitted:—the question will be, whether this ought to be ascribed to the mismanagement in our former Congresses, or a fault in the confederation, or in the several constitutions? and if not, and that the difficulties that daily multiply upon the hands of Congress, are occasioned chiefly by mismanagement, and to an obstinate adherence to a dangerous system, which I most sincerely

believe is the case—It would be exceedingly unwise to charge it to either. “For it^(f) is” (says Bacon) “not proper to try new experiments in the political body, unless the necessity be urgent, or the utility evident: and take great care, that the desire of reformation may occasion the change; and not the desire of change plead for reformation. Again, let all novelty, though it cannot perhaps be rejected, yet be held suspected. And lastly, as the scripture directs, let us stand upon the old paths, and see and ask for the good way, and walk therein.”

“The great corrupt the^(g) people” (says Mr. Gordon) “by all manner of ways and inventions, and then reproach them for being corrupt. A whole nation cannot be bribed; and if its representatives are, it is not the fault, but the misfortune of the nation; and if the corrupt save themselves by corrupting others, the people who suffer by the corruptions of both, are to be pitied and not abused.”

That we have discarded a *monarchical*, and have adopted a *republican* government, is not disputed, nor the right of doing so; but whether with the government we have forsaken monarchical principles, and are in our operations adopting the true republican; and unless we do so, or as often as we do not, the incongruity and discordance will keep all our operations in confusion. “Because the old principles of government,” (says Dalrymple^(h)) “will not apply to new situations in “the governors and governed,” the fundamental principles of a monarchy and a republic being so different. In a monarchy they have a *King*, who rules in *duplicity*⁽ⁱ⁾ and *partiality*, and endeavours to make himself *respectable* among *the nations of the earth*, by *luxury*, *extravagance*,⁽ⁱ⁾ and *dissipation*; On the contrary, in a republic there is no *King*, save *the Almighty Ruler of the universe*; the *pillars* of whose rule and government is *righteousness* and *truth*^(k); and to them, and them only, shall the nations of the earth look to be respected.

In this all authors agree, that *virtue* and *frugality* are necessary in a republic; and that, in considering the rules of propriety, special care should be taken never to be generous before they are able to be just; and in respect to public burdens, the one enquires how much he can spend, the other how much they can save; the former, how much the people can bear, the latter, how little may serve.

In my observations on the different principles of a monarchical and republican government, I wish not to be understood to mean, that these governments really possess all these principles in every sense of the word; for the books observe, that although “such are the principles of these two sorts^(l) of government, it does not imply, that in a particular republic they actually are, but that they ought to be virtuous, and be directed by these principles, otherwise the government is imperfect,” and will work heavy and preposterous.

If the reader should suppose that I am right, he will then consider whether our public affairs have been managed upon republican principles; if not, and that our present embarrassments are *most likely* occasioned by operating upon the spurious monarchical principles? Still I would not wish to impress him with the mistaken idea, that this is uncommon after revolutions. Goldsmith says that,^(m) “after the battle of La Hogue, in 1692, within four years after King William landed in England, that patriotism began to be ridiculed as an ideal virtue; the practice of bribing a majority in parliament became universal; the example of the great was caught up by the vulgar; principle and every decency

was gradually banished; talents lay uncultivated, and the ignorant and the profligate were received into favour." But these wicked measures appear the less astonishing, when, upon a retrospective view, they seem to have been providential. "It is (says Dalrymple)⁽ⁿ⁾ a characteristic in Providence which human nature should not attempt to imitate, to employ apparent evils for the attainment of real good, and to render dissention, as well as union, beneficial to mankind." And what is now in the intention of Providence, which has so often turned our errors to our benefit, we know not; "for they have not rejected thee, but they have rejected me, that I should not reign over them."^(o) But, at all events, I suppose it will be well to follow the example of the parliament of England upon this occasion, who, the same author says, "were diligent in restraining the universal corruption that seemed at that time to prevail over the kingdom: they were assiduously employed in bringing those to justice who were grown wealthy by public plunder, and encreasing the number of laws which restrained the arts of speculation."

Mr. Addison, who published in the reign of Queen Anne, in allusion to the doctrine then propagated by Sacheverel and others, engrafted upon the policy of the cabal who were "for establishing such a perpetual and extensive fund or revenue, to advance the prerogative, as would render parliaments useless,"^(p) observes that "Some tell us we ought to make our governments on earth like that in Heaven; which (say they) is altogether monarchical and unlimited. Was man like his Creator in goodness and justice, I should be for following this great model; but where goodness and justice are not essential to the Ruler, I would by no means put myself into his hands, to be disposed of according to his particular will and pleasure.

Where the Prince is a man of wisdom and virtue, it is indeed happy for his people that he is absolute; but since, in the common run of mankind, for one that is wise and good, you find ten of a contrary character, it is very dangerous for the nation to stand to its chance, or to have its public happiness or misery depend on the virtues or vices of a single man."^(q)

I shall insert two paragraphs from one of the first political characters (if we believe Sir William Temple) of the age, the famous John DeWitt, who acted as Lord Pensioner of Holland for eighteen years, taken out of his political maxims, which contains a concise history of the management in the United Netherlands, after the revolution.

"It appears (he says) that the inhabitants of a republic are infinitely more happy than the subjects of a land governed by one supreme head, yet the contrary is always taught in a country where a Prince is already reigning, or in republics where one supreme head is ready to be accepted.

"For not only officers, courtiers, idle gentry and soldiery, but also all those that would be such, knowing that under the worst government they are sure to fare best, because they hope that with impunity they may plunder and rifle the citizens and country people, and so, by the corruption of government, enrich themselves or attain to grandeur.

"They cry up monarchical government, for their interest, to the very heavens; altho' God did at first mercifully institute no other but a commonwealth govern-

ment, and afterwards, in his wrath, appointed one sovereign over them. Yet, for all this, those blood suckers of the state, and indeed of mankind, dare to speak of republics with the utmost contempt, make a mountain of every molehill, discourse of the defects of them at large, and conceal all that is good in them, because they know none will punish them for what they say.

“The matter being thus, we must say, that all persons who, for their particular interest, do wilfully introduce such a monarchical government into our native country, will commit a crime which afterwards can never be remedied, but, like Adam’s original sin, be derived from father to son, to perpetuity, and produce such pernicious effects, that all the good order and laws of these provinces, whether civil or ecclesiastical, must at length be subverted. And seeing *crimen majestatis* is properly committed against the sovereign power, namely, either to assault the legislator himself, or to alter the sovereign government we must therefore conclude, that the said inhabitants will, by so doing, make themselves guilty of *crimen majestatis* and *per duellionis non fluxam sed permanens in eternum*, the most grievous, most durable and endless treason against their country.”⁽¹⁾

I shall conclude with an observation of Sallust, cited by Montague, 254, what happened after the revolution at Rome, who affirms, “That after the expulsion of the kings, as long as the fear of Tarquin and the burdensome war with the Etrurians kept the Romans in suspense, the government was administered with equity and moderation. But as soon as ever the dread of those impending dangers was removed, the senate began to domineer over the people and treat them as slaves; inflicting death or scourging after the arbitrary manner of despotic tyrants; expelling them from their lands, and arrogating the whole power of government to themselves, without communicating the least share of it to the plebeians. Thus the people, before the creation of this magistracy, were amused with the name of liberty, whilst in fact they had only changed the tyranny of one for the more galling yoke of three hundred. But the tribunitial power proved an invincible obstacle to the arbitrary schemes of the aristocratic faction, and at last introduced that due admixture of democracy, which is so essentially necessary to the constitution of a well regulated republic.”

(a) See 8 Journal, 31, 206, 207, 209.

(b) If we compare this with the language of Congress, 26th Oct. 1774, we will find them *as different* as the *counsel* that was given upon the *petition* of the *Israelites* to *Jeroboam*. See 1 Journal, 59.

“In every *human society*, there is an *effort* continually tending to *confer* on one *part* the *height* of *power* and *happiness*, and to *reduce* the *other* to the *extreme* of *weakness* and *misery*. The intent of *good laws* is to oppose this *effort*, and to *diffuse* their influence universally and equally.

“*Rulers* stimulated by this *pernicious effort*, and *subjects* animated by the *just intent* of opposing *good laws* against it, have occasioned that vast *variety* of *events* that fill the histories of so many nations. All their histories *demonstrate* the *truth* of this simple position—that *to live by the will* of one man or set of men, *is the production* of misery to all men.”

(c) See 7 Journals, 26. I find a proviso in the Journals of Congress of the 3d Feb. 1781, (not agreed to) in the following words: "Provided also, that the United States in Congress assembled, shall not be impowered to appropriate any duties, or imposts for *perpetual annuities*, or other perpetual or *indefinite* interests, or for annuities for more than three lives at the same time in being, or for a larger term than — years."

(d) See Journals of Senate, 10th October, 1780.

(e) See 3 Journal of Congress, 514.

(f) 2 Bacon, 154.

(g) Cited, 1 Burgh, 375.

(h) Dalrymple, xvii.

(i) "Kings hate virtuous men, who oppose their unjust designs; but caress the wicked, who favour them." 2 Burlamaque, 67. Montesquieu, 276, Montesquieu, 66.

"In monarchies policy effects great things, by as little virtue as possible." Montes. 28.

"If there should chance to be some unlucky honest man among the people, Cardinal Richlieu, in his Political Testament, seems to hint, that a prince should take care not to employ him; so true it is that virtue is not the spring of this government," 1 Montesq. 30.

"In monarchies the actions of men are judged not as *virtuous*, but as *shining*; not as *just*, but as *great*; not as *reasonable*, but as *extraordinary*." 1 Montesq. 36.

(j) "Luxury is absolutely necessary in monarchies—Hence arises a very natural reflection—republics end with luxury, monarchies with poverty." 1 Montesq. 124.

(k) "Thy righteousness is an everlasting righteousness, and thy law is truth." Psalm 119, 142.

"Righteousness exalteth a nation." Proverbs 14, v. 34.

"He that justifieth the wicked, and he that condemneth the just, even they both are an abomination to the Lord." Prov. 17, v. 15.

(l) Montesquieu, 35.

(m) 4 Goldsmith's Hist. 54.

(n) Dalrymple, xx.

(o) 1 Sam. 8 v. 7.

(p) Ackerly's free parliaments, 32, 214.

(q) Spectator, No. 287.

(r) De Witt's political maxims, 7, 415.

1. A draft of this essay is in the Abraham Yates, Jr., Papers at the New York Public Library.

12. Robert R. Livingston to Marquis de la Luzerne New York, 24 April 1787¹

Mr. Otis informs me that the packet sails tomorrow & as I do not care to let her go without acknowledging your favor of the 10th. decr. I set down to write a hasty answer to it—Nothing gives affords me more pleasure than the hope you give us of seeing you here in the course of the summer an event with which I

had despaired & which I fear is still more distant than it was at the time you wrote The death of the count De Vergennes will probably [result in?] changes which may alter your destination to which nothing will reconcile me but the hope that these changes may be advantageous to you—Your information on the subject of revenue taken for the discharge of our national debt is not so well founded as I could wish—It is true that it is sinking in every state & that some of them have sunk their whole quota of the domestic debt in the treasury [It is?] so much reduced that the payment of interest is within their power New York for instance has sunk since the peace by taxes & the sale of Lands upwards of 500000 of dollars her present revenue is without being at all burthensome to the people upwards 250,000 dollars 150,000 is sufficient to pay the interest of her domestic debt so that there is no doubt that if she wd apply herself to that object & similar exertions are made by the other states both the foreign & domestic debt might be ~~reduced~~ funded in a very short time & the capital reduced without additional taxes by the sale of Lands as the country increases Unhappily there are some states that have done nothing to effect this—And Massachusetts by attempting too much have excited discontents that have occasioned new burthens—You have heard of these they are happily quelled And as the people have effected a change by removing Govr. Bodoïn & reinstating Hancock it is generally supposed all wi[ll] go on smoothly then again—

You have doubtless heard a most miserable acct of this country as well from English papers as from discontented people among us—Nothing however is more distant from the truth I have known this country before the revolution complaints of decay of trade &c. have always prevailed among the merchants in peace when fortunes were only to be made by patient industry—That we have suffered in reputation abroad can not be disputed—That we are happy at home is equally true & will be apparent to those that consider the following—The population of New York in the last 12 years notwithstanding the numbers destroyed by the war & the still greater number that have left us—have increased 40,000 souls—exclusive of Vermont which if taken into the calculation would caſy our number from 190,000 which was its greatest extent before the war—to 280,000—as appears by our last census—few traces remain in the country of the ravages of war—Lands are cultivated houses rebuilt—new Lands cleared—New sources of commerce opened & what is the best criterion of the state of trade is that the commod[it]ies & labour of the country still bear a better price than they did before the war—our present taxes do not amount to more than ½ a dollar a head upon the people of the state exclusive of duties which are not felt so that upon the whole I may venture to say that we are among the happiest people in the world—notwithstanding those defects in our government which render us contemptible abroad—Whether this evil will be corrected by the convention that meet at Philadelphia I know not tho' I confess to you I do not expect much from their endeavours & for this obvious reason that the people finding themselves happy will not wish for a change tho those who think public reputation & public ~~faith~~ credit of importance may.

The fear of missing the packet prevents my going in to more minute details fullfil the promise you make me hasten over to be a witness of the progress we are making which I flatter myself will answer your expectation as well as of the attachment we retain for you—

1. FC, Robert R. Livingston Papers, NHi.

**13. Robert Yates to Abraham Yates, Jr.
Philadelphia, 1 June 1787¹**

Mr Lansing who this day arrived here informs me that you are surprized you have not heard from me.

I answered yours on the 28 ult. and sent it by the post, and I presume that you are now in possession of it.

Alas Sir! my forebodings there are too much realized, & to prevent any member from communicating the future proceedings of Convention additional Rules have since been entered into, one of which strictly prohibits the communication of its business until the final close of it. While I remain a sitting member these rules must be obligatory. How long I shall so remain future events must determine. I keep in the mean while an Exact journal of all its proceedings. This Communication is in the most perfect confidence, in which only one person beside yourself can participate. My Respectful compliments to the Governor and remain Sir Your most obedt hul Servant.

1. RC, Yates Papers, NN.

14. New York Daily Advertiser, 6 June 1787¹

Port Roseway [Nova Scotia], April 10. We hear from New-York, that the sentiment of unanimity is daily encreasing. The citizens of the late rebellious States are awake to the dangers both of anarchy, and its consequent despotism. Such confidence seems to be placed in their posse of patriots and politicians, about to be assembled in Convention at Philadelphia, that every hope of their being once more united to the mother country must *now* die, and their independence and union be considered as *indeed* established.

1. Reprinted in the Poughkeepsie *Country Journal*, 13 June, and in nine out-of-state newspapers by 9 July: N.H. (2), Mass. (3), R.I. (1), Conn. (1), Pa. (1), S.C. (1).

**15. A Customer
Poughkeepsie Country Journal, 6 June 1787**

To the PRINTER of the *Poughkeepsie Advertiser*.

Sir, Perhaps there never was a crisis since the existence of our independence, that more seriously suspended the happiness or the misery of this country than the present moment. The attention of our citizens and the apprehensions of

our enemies are now equally fixing themselves on the fœderal convention, and waiting with the most anxious and fearful expectation for the result of their wisdom and deliberations. The association of these states has been found upon experiment to be so feeble and defective, that we are not only unable to do justice to our national engagements, and to vindicate our national character, but we have for a long time been an object of pity to our friends, and of ridicule to the world. Each state under the shadow of a social compact, which has not the least coercive authority to make it feel the force of political obligations has been left at full liberty to counteract the policy and the wishes of all the rest; and some have neglected, and others have dared to violate the general interest in a manner that has excited the warmest and the justest indignation. The unparalleled and astonishing behaviour of Rhode-Island to her own citizens affects comparatively but a small circle, but the breach of a fœderal duty reaches and wounds the whole community.—Many an honest patriot, and many an ardent enthusiast for the liberties of mankind have been led to doubt from a view of our conduct, even of the possibility of supporting with purity and stability, a republican constitution. They have begun to think that they have been idolizing only an enchanted castle or an agreeable fiction, and that liberty is but an *ignis fatuus* that eludes our pursuit, or vanishes in our embrace. But such suspicions are unbecoming a manly soul, and it is the maxim of heroic patriotism never to despair of the Commonwealth whatever her condition be. We may yet hope that the penetration and virtue of the convention (the Atlas that supports the wishes and prospects of every genuine friend to America) will produce some system of compact and government founded indeed on true principles of liberty, and yet of irresistible obligation and lasting efficacy that shall carry along with it the argument of its excellency and utility to every legislature throughout the continent.—The next winter our own legislative will undoubtedly be called upon to give their concurrence, and I cannot avoid discovering a transport of pleasure that the well directed suffrages of this county have appointed certain men who have the talents to reason, the information to judge, and the spirit to decide on a great national question. The man that murmurs at such a choice or that more indecently grieves at his own disappointment is only contemptible, but the person that shall enkindle faction and propagate jealousy against a more judicious union, and by opposing *this last effort* to bind us as a nation shall involve us in misery and civil commotion; such a person (to use the words of our late commander, and who has most assuredly adorned the dignity of human kind) will merit “the bitterest execrations, and the severest punishments that can be indicted by his injured country.”—On the other hand the man that shall animate himself on this occasion, and co-operate powerfully with the wisdom of that great council, to restore us to national honor, harmony and justice, and to give us a national government and subordination, will erect in the affections and gratitude of the people, a monument to his memory more durable than brass, and more precious than marble.

June 4th, 1787.

16. New York Daily Advertiser, 11 June 1787¹

SKETCH OF A FEDERAL GOVERNMENT.

That there be a legislative assembly, consisting of five members from each state, to be chosen annually.

That there be an executive council, of one member from each state, to be chosen triennially.

That the legislative assembly be vested, without limitation, with the power of levying excise duties, as well as duties on imports and exports. Should the product of these taxes prove inadequate to the exigencies of the nation, requisitions to be made on the states, individually, for their quota of the deficiency: and, in case of non-compliance of any state, the duties and excises to be so far increased on said state, as to make up said deficiency.

That the secretary of foreign affairs, secretary of war, commissioners of the treasury, and first judge of the admiralty, be a council to revise all laws passed by the state legislatures (an authenticated copy of which to be sent forward at the close of each sitting, by the speaker); and where a law shall be found, either wholly or in part, to be incompatible with the general good of the nation, that it be returned to the next sitting of the legislature, with the objections stated by said council of revision: and in case the same is not repealed or amended, in conformity to said objections, before the rising of the legislature, that a report thereof be made to the federal legislative assembly, who are to take a vote on the objections, as stated by the council of revision; and if there shall be a majority of two-thirds of the house in favor of the objections, the law to be *ipso facto* repealed.

That the executive council be vested with the power of revising all bills passed by the federal assembly, and of returning such as appear exceptionable, with their objections annexed thereto, and unless there shall be a majority of two thirds in favor of a bill so returned, it cannot be passed into a law.

That one member of the federal assembly, from each state, be chosen annually by the ballot of the house, who are to constitute a council for the appointment of all the officers of the federal government. The executive council to nominate three persons for each office, out of which nomination the appointment to be made.

That a committee of one member from each state be annually chosen, who are to examine and pass all accounts of receipts and expenditures, and publish annually a state thereof.

It is almost unnecessary to add, that the power of coining money of every species be vested solely in the federal government; and that there be no state emissions of money, of any kind whatsoever.

1. Reprinted: *Providence Gazette*, 16 June; *Massachusetts Centinel*, 23 June.

17. A Customer

Poughkeepsie Country Journal, 13 June 1787

To the PRINTER of the *Poughkeepsie Advertiser*.

Sir, in your last paper I threw out a few general remarks on the importance of the convention now assembled at Philadelphia.—Those remarks I accompanied with the effusions of a warm and honest anxiety on the consequences of that great and interesting event. Upon reflection I have thought proper to enlarge and inforce what I there said by a little examination into the deficiency of our present system of federal government (if indeed we may call it a government when we speak with precision) and then appeal to the striking *necessity* of some efficient power over these states, if we intend to preserve all, or any of those rights that are dear and valuable to us as a nation. The subject is familiar I know, and has been sufficiently exhaulted by all those who have the means and are accustomed to the habits of thinking on public affairs. But it is our duty, and possibly the most grateful employment of a leisure hour to be communicating truth and light even to a single individual; and especially while we are under the deep impression, that on our consent or refusal to a closer and stronger union with our sister states, depends the alternative whether the revolution shall be considered as a blessing or a curse.

The grand defect with us is this!—That Congress have no power to enforce a single law or requisition which they make in conformity to the articles of confederation. Upon every principle of government and policy a demand legally made should be of irresistible validity. Accordingly every government upon earth in the freest or most despotic forms have an executive branch of administration, or certain magistrates appointed whose business it is to carry *into execution* what the government enacts. For this purpose courts of justice are also established to aid the magistrates in the execution of the laws, and the great body of the people are bound by their allegiance to give them their aid and vigorous support. The energy or the feebleness of any government therefore depends on the punctuallity or the neglect with which its laws and requisitions are obeyed. Without an executive, and a spirited executive too, the law would be only a dead page, government only a shadow,—and its sovereign will however wisely concluded and constitutionally pronounced would be no better than a letter of advice. It is upon this ground that I contend that we are not only deficient as to a national power, but that we have in fact *no federal government* at all, and that the United States are not bound together by any political compact.

Congress are invested it is true by the terms of the confederation with certain *powers*: they may declare war and conclude peace, borrow money and contract alliances, they may also determine what money is requisite for the national expenditure, and call on each state individually for its proportion. But what are all these powers as they are improperly termed, unless they can make us obey them? of what efficacy is a requisition when each state gives or withholds its concurrence just as it pleases? this is a truth familiar with every body: some of the states have uniformly neglected and the rest have in general only partially complied with the public requisitions. Upon every just and solid principle of a federal government, each state has therefore involved itself in the guilt of rebellion, they have

renounced their allegiance to the laws and constitution of the union. But what court is to pronounce our delinquency and what authority is to execute the sentence? the simple fact is government consists of three branches; a power to legislate or declare its will, a power to judge and a power to execute. Congress can declare whatever their will is, but then their authority ceases as they want the other two requisites of civil government, and without which it is no more than the baseless fabric of a vision, and deservedly ridiculed by every pupil in political science. It is true that we completed the revolution with a system not better than the present. But the patriotic fanaticism of the people and the dread of impending oppression supplied the want of civil policy. We gave a more prompt and decisive compliance to a simple harmless resolution than we could have done to the commands of the most despotic authority. But as soon as our ardor was relaxed, it was attended with a proportionable relaxation of the powers of the union; and when the danger was removed and the force of our public affections exhausted, we fell into that confusion of politics, and that jealous and selfish opposition to all federal measures in which we have remained to this day.

And will such an association be sufficient for our permanent security? Is it a proper and firm foundation on which we may repose our rights and the blessings of public and private prosperity. Did the history of mankind ever afford an instance in which a whole people were held together by the feeble restraint of recommendations and advice? *It did not* and the least acquaintance with the character of our species tells us *it cannot*. The violence and subtlety of the human passions have always been found to require the pressure of the most vigorous laws. Even the most vigorous laws have sometimes been found ineffectual and rebellions have broke out in defiance of the civil power and the activity of the courts of justice. How then can we entertain the idea of holding together even without *government*, thirteen independent republics whose passions and prejudices, habit and interest so directly interfere? experience already shows us that they never will act of their own free will, with benevolence, generosity or concert, and a little further experience may as strikingly show us that they will easily enkindle into civil wars, and encounter each other with the most intemperate fierceness.

But this brings me to a few observations (most obvious indeed) on the *necessity* of a wise and permanent *government* over these states, from the threefold consideration of our national interest, honor and happiness.

(To be continued.)

18. A Customer

Poughkeepsie Country Journal, 20 June 1787

(Concluded from our last.)

To the PRINTER of the *Poughkeepsie Advertiser*.

This country was formed for a most extensive commerce. This is evident from her advantageous position on the shores of the ocean—from the number of her streams—the temperature of her climate—the fertility of her soil, and the profusion with which she abounds in every substantial subject of remittance. A

stranger with only a superficial glance on our amazing advantages, would immediately conclude that we command the most unbounded wealth. The real fact would astonish him. All our exportations except the exportation of money, have been for a long time exceedingly embarrassed, if not totally prevented by foreign, and principally by British imports and prohibitions; a nation that discerns with the most ambitious eye, and pursues with the most vigilant steps the dominion of the sea. As long as we export our money, and not manufactures and superfluous produce, we shall continue to want a circulation of the precious metals—we shall continue to be poor, Nothing can hand us relief and vindicate the liberty of commerce, but some coercive power presiding over these states, that can call out and direct their united efforts. No nation at present will condescend to form a commercial treaty with a body that has no authority to enforce its observance. They would be idle if they did. It is difficult to tell (said a member of the British house of commons, when considering this very subject of their trade with us) whether the United States of America are thirteen disjointed republics—whether they are one consolidated body, or whether they have any government at all. But we perceive no difficulty in the research. That member may carefully, or perhaps agreeably contemplate, but we *feel* our national confusion. The evil reaches home to our interest and awakens our attention. No wonder then that a generous zeal for the prosperity of this great continent, is now communicating from breast to breast. Providence has kindly ordered it as a spring to social life, that on occasions of such momentous concern, the lively passions of the heart, as well as the powers of the understanding, should be animated and feel the full force of their influence.

But our interest is wounded also in a more particular manner.—The retention of the western posts gives to Britain the complete monopoly of the fur trade. The revenue resulting to this single state, from the possession of the property she is entitled to by the peace, would be immense. It is impossible to calculate with precise accuracy, the productive value of that commerce with the Natives. It would unquestionably exceed all the expenditures of the state establishment, and yet we patiently and ingloriously submit to the mortifying insult, and leave a foreign and invidious power in the full possession. In this instance also the sovereignty of the union by acting with decision, unanimity and *power*, can alone command the observance of the treaty, or punish the infraction. Here occurs a case in which *this* state is *peculiarly and exclusively* interested in the establishment of a federal government, and cannot possibly oppose it, without committing an act of violent suicide on her own interest and liberties, equally weak and wicked in a moral or political view.

These evils which I have enumerated are existing facts. There are others which if they have not yet completely arrived, it becomes us to anticipate. In what condition are we as relative to our exterior defence? we have neither a government nor a treasury: Every community ought certainly to study and practise the moral virtues of friendship and reciprocal benevolence; but prudence equally dictates that they should be in a condition, if not to make war abroad, at least to defend themselves at home. If we should be under the necessity of borrowing money for the purposes of our national defence (and who can tell what a forcible

invitation may arise, should we remain in our deplorable weakness, and what contingencies may occur in the rapid fluctuation of human events) I then ask what foreign power, or what domestic individual would repose credit in a body, that in theory had no ability, and in practice had no influence to discharge their engagements? what army would come forward in the field without pay, or without any productive fund to be pledged for their security? These apprehensions may be condemned as vain and visionary, but I know that we have for our neighbours the troops and colonies of a wealthy and powerful kingdom which has never yet fulfilled the terms of the treaty, and whose councils must undoubtedly feel the humiliation of defeat and the pride of revenge.—They have too many of the means, and for my part I confess I have the weakness of *suspicion*.

But in what condition are we as relative to our interior harmony? I appeal to our public papers, to debates in our deliberative assemblies, and even to their public acts that we at least breathe a spirit of mutual distrust. The behaviour of Rhode-Island has deservedly met and received the execrations of the continent. Their acts of legislation become only barbarians and pirates.^(a) They even refused (though united by all the ties of policy, manners and kindred) to assist the government of Massachusetts in apprehending those infamous and detestable parricides, who excited a most wanton rebellion against the creature of their own hands, and who, if they had ten thousand lives, had forfeited them all to the justice of their country. Neither has this state been wanting to excite her share of reproach and recrimination. By adhering to a state, and rejecting a general impost, we bring money into our treasury at the expence of our neighbours. Jersey and Connecticut consider our private impost as an unfair at least, as an unfriendly advantage of them. They have endeavoured to counteract it by opening their ports to a free importation. But this *will be* an importing state, and supply its two neighbours in a very considerable degree. As all impost duties eventually fall on the consumer, the tax that they pay on consumption, is handed to us in proportion to what they receive. A general impost would also fall eventually on the voluntary consumer, but then the tax would be distributed for the impartial benefit of the union.

Such a selfish and contracted policy is against the laws of hospitality. It appears (at least to our neighbours) in something of the unamiable light with the reply of the cool but inhuman stoic to the person that would inform him of his great distress “well all this may be true of you my friend, but what is this to me.”

But it is alarming, it is distressing to dwell on such circumstances of animosity and national discord. We have no power on which we may concenter our interest and receive stability. We are therefore every day tottering on the brink of civil dissention; and the revolution of a few months, must either give us a permanent continental government, or set our liberties afloat in the confusion that ensues.

If we attend to a view of our national debt, how is that to be paid, unless we are combined by an efficacious policy? How can a revenue be collected by thirteen *disjointed* republics at jealous and possibly at hostile opposition? Experience tells us there will be no *collection*. I am afraid it reaches us in almost an emphatical language that many a subtle, many a grave and imposing politician, would be glad to sweep away the whole public debt as they would their consciences and

their country into the chaos of contending factions. Our foreign creditors however will assuredly pay themselves. They have the means in their hands and the right on their side, and a few unlucky merchants and seaports may be obliged to bear singly the burden of the continent. But our feeble domestic friends, who generously and zealously supported the war by their property and services, *they* must be left, as they have hitherto been left, to curse our vain struggle for freedom and independence, while they are smarting under the pressure of disgrace and poverty. What an everlasting infamy this would fix on the character of a democratical government. To the confusion of the sons of liberty, and the congratulation of tyrants, this new republic which appeared in the western hemisphere with so splendid and benign an aspect, would justly be compared to a comet that shone for a moment, attracted the gaze of the world and then vanished forever.

I confess, if a man is not affected on this occasion, he pays no favourable compliment to the moderation of his temper. He *must* feel as well as think if he has a heart devoted to the public service. I would wish not to agitate by unmanly fear, yet I firmly believe that if Heaven ever chastised a people in this world for their national sins, we can hardly escape some severe visitation.

Yet possibly a blessing may still be within our reach. Some plan of government will be recommended by the united wisdom of the convention: Many have been handed out already by the imagination of writers. In my humble opinion, no government can be entirely safe for the liberty of the subject, unless the three distinct powers are lodged in separate hands. We ought however, to submit the matter to that great council with the most respectful confidence: For my part I would almost embrace any expedient rather than to remain as we are. Anarchy is the most dreadful of all situations, and more effectually carries away every pillar of Justice and virtue than the tyranny of an eastern despot. I only wish the people to be awakened to the *necessity* of the measure, and to be on their guard against those pretended friends but real enemies, who may perhaps approach them with the mask of gravity and popular zeal, and enkindle jealousy and faction to the ruin of our fairest prospects.

'Tis amusing enough to hear some men whose principles and schemes we trust are sinking to contempt, pretend that our present continental government is sufficient, and yet were violently jealous of conferring an impost on Congress. By our present government (as we must term it) Congress *in their own discretion* may determine what money the union requires, and call on the States to pay it, by our present system also we must pay what they call for; if their demand is exorbitant, still we have no constitutional authority to judge—we must comply or break the confederation. When we pay, we then commit our money to the disposal of Congress for the benefit of the whole; and while the members are taken from ourselves are responsible to us, and are continually changing, we may commit it to be sure with the most perfect security. We should do no more if we gave them the impost, so that these men involve themselves in the absurdity of a contradiction; they are jealous if we give Congress money thro' the medium of an impost, but not if we give them the same money thro' the medium of a

requisition. Perhaps they would in the last case, as indeed we have hitherto done, assume the liberty of renouncing their federal allegiance whenever they thought proper. But then if our government was in reality that *sufficient* one they pretend to, such persons would be pursued and punished as traitors.

It may be necessary for me now to ask pardon for having said so much on so plain a subject, but it was dictated with the purest intention of informing the ignorant. All men of ingenious and liberal minds, who are sensible that the security of their persons, their property and their dearest connections are interwoven inseparably with the security of the public, have long since been convinced—they now grow alarmed. I assume no kind of merit in saying that I love my country with the most ardent devotion. It is no more than a natural sensation—But it requires some cultivation of the moral principle to embrace the whole continent within the circle of our patriotic affections. Our interest however is equally concerned, and as certainly as this state now exists, it must stand or fall eventually with the confederated republic.

(a) The private acts of a state relative to their own subjects, do not I confess, directly affect the national concerns. In certain cases however, they do when they cancel a debt which belongs to a citizen of a neighbouring state. But when the conduct of that state comes across the mind, it is impossible not to indulge a *moderate* indignation. Their superior court with great firmness adjudged one of their acts which deprived a man of his property, without a trial by jury to be contrary to the supreme law of the constitution, and therefore void. This was a point well decided, as in every state it must come within the cognizance and limits of a court of justice. Were it otherwise, a constitution would soon be borne down by the impetuosity of a popular assembly. Those patriotic judges have been since dismissed from their office. They ought to have been independent of the legislature; for when courts of justice are filled by men of discernment, of knowledge, and who reverence their oath and dare to pronounce the superior law independent of the frowns and passions of the credulous and unthinking multitude, they become the surest guardians of the public liberty.

19. Tribunus

New York Packet, 29 June 1787

On PUBLIC and PRIVATE CREDIT.

In a Letter to a Friend.

Sir, You ask me if we shall not soon have better times? to answer NO, and to say that I think there is no prospect of it, without assigning you a reason for what I say, would be to leave the matter where it was before you asked the question; unless my opinion without the principles whereon I have formed it, would be satisfactory, which I have no right to suppose would be the case. To assign my reasons, would be opening a wide field, which I have not time to fully traverse, even if you had patience to attend me through it. But I shall employ a moment's leisure on the subject.

Public faith, among the Romans, was considered as the jewel of the Commonwealth, and he who attempted to injure it, was considered as the greatest enemy of the State. This was, when their government was in its highest perfection.

Public credit is the necessary offspring of public faith, and without it no nation on earth can exist, under the enjoyment of a free constitution and government. What I mean by a free constitution, is such a form of a Commonwealth as considers property existing independent of government, and government formed for the support and protection of it; and that protection flowing from standing promulgated laws, carried into execution by known and authorized judges; and equally and impartially applied to each member of the State. I mean in fine, a form of government established by the people, which secures to them their property, as their own, against the rapine and under controul of a legislature, and is a law to the legislative authority itself. In such a government, public credit is absolutely necessary to the existence of the State, because no government can have resources for every emergency, and Sovereigns therefore are often obliged to apply to the people for the loan of that property, which cannot be taken without their consent.

But in an arbitrary government, where the executive, judicial, and legislative authority are all alike, in the hands of the sovereign power, property is considered as derived from, not merely protected by the government, and is rather a possessory loan, than a right; and the sovereign power has no need of credit; public faith to the subjects is of no consequence; force answers the purpose of credit, and the monarch takes what he wants, and compels thanks for leaving residue: And who is there in our day, and in our country, that does not realize the distinction between the forms of State policy; if there is any one that does not, will venture to pronounce him a slave, and urge him to the realms of Sweden, Denmark, Russia or Prussia, where he may enjoy slavery at his ease and in the highest perfection.

If public credit is then so necessary to the very existence of a State, you will ask me why the States are destitute of it, and how they shall procure it? As to the United States as a nation, they never had any national credit. Have patience, I will explain myself; to do which, it is necessary to fix the true meaning of national or public credit.

Here then I say, that credit is the forcing an opinion upon another, who is possessed of something which we want, and which we have no right to take from him without his consent, that if he delivers it to us, we will pay him an equivalent for it, according to the compact made between the parties. I shall speak of private credit in another letter.

Here then public faith is the first, and most substantial foundation of this opinion: For as no proneness of coerce can be issued against a government holding sovereign power, unless that the lender believes that the State has such a sacred regard to public faith as not to violate the compact, the opinion necessary to credit can never be formed. But should the possessor of the property wanted on loan, have a full conviction of the government's regard to public faith, the next enquiry will be, whether the contractors, the agents of the State, have power to comply with the contract. To raise a conviction of this, the practice

is in Europe to lay a duty upon a certain article supposed to be sufficiently productive to answer the purpose, and to consider the fund thus raised, as sacredly the property of the creditor who loans upon it, as any thing else he possesses.—The idea then, that the government has authority to compel the payment of that duty, and that they never will take back or violate the pledge, gives national credit. This example might serve for thousands that might be put.

Previous to the confederation, Congress had no power at all, but what arose from the voluntary consent of the people. They recommended, and the people for their one [i.e., own] safety complied. It is true they anticipated national faith, which in itself was a great novelty. They made paper bills for a currency, and obtained loans, but it was not because they possessed power to support a national faith, or resources to fund their debts. It was because the people hoped that they would, at a future period, possess these requisites to credit. The majority of the people in America appeared to be ready to sacrifice all they had, in support of a war commenced in defence of their freedom, and thereby substituted enthusiasm for that opinion which is necessary to national credit; while the minority having no love for, or regard to the measures of Congress, were compelled by fear, to deliver up their proportion of property, or perhaps more, when they would not have done it as a voluntary loan to the public. These things seldom happen in a country, and it would be a great and fatal mistake, to depend upon these exertions, under a regular and systematical government.

When the confederation was made, it gave no authority to Congress whereon a public credit might be raised. I have observed, that the opinion whereon public credit is founded, is that of the existence of a power to comply with engagements, and of such a regard in the nation, to public faith, that it cannot be violated. By the confederation, Congress have the powers of making war and peace, but have no authority to raise a penny to pay a soldier, or to buy him a ration of provisions. They have authority to borrow money, but have no resources to pay, or assure the payment of one farthing of principal or interest. They are called a *foederal* government: But this is only a sound without force or efficacy. For government at all times means, a man or body of men vested with coercive powers and capable of issuing, and compelling obedience to civil process. But Congress can issue no one civil precept. The life of government is its energy, and this depends altogether on the appointment, power and amenableness of the executive officers, but Congress can appoint no civil officer, nor is any one amenable to them.

Nor would the nation have been one whit better off if all the States of the union had granted the impost in the same manner that Massachusetts have granted it. By this grant the trial of all forfeitures, is to be in the Court of Common Pleas in the county where the seizures are made. The Court is not of the appointment of the *foederal* government, amenable to it, or having any connection in their official capacity with it. Who then would lend Congress money, or give them credit on a fund, which this State might annihilate in a moment, by repealing their laws for holding such a Court, or by subverting the session of it, as they have frequently done? One or two influential characters might very probably annihilate a fund so illy supported, at any time. One remark ought not to be omitted, that is, that at the same time when the Legislature of Massachusetts

made this grant, the people out of doors were clamouring to subvert this Court of Common Pleas, and the Legislature were countenancing of them by considering it as a grievance, and by taking measures to render it so very contemptible, as that no man of ability and common decency, might in future take a seat in it.

I believe, Sir, I have now so fully explained myself, that you will justify my saying that the United States never had any credit as a nation, because they never in a union, possessed national powers, or national resources. But I see the objection, which you stand ready to make, “that they have borrowed money of foreign nations, and under the auspices of foreign Courts, which could not be done without public credit.”

I do not consider this as evidence of public credit. It is clearly evidence of an opinion of the lenders, that the United States, had as a people, or territory, property sufficient to pay the loans. But whether the United States as a government, have power, or regular legal resources to pay or not, can never be indispensably material to foreign creditors. The sovereigns who have loaned money, depend ultimately upon their own force to compel payment; they will neither petition or sue, but by arms; and the foreign subjects who are our creditors, depend upon the faith of their own governments ultimately to secure their demands. Though there ought not to be admitted an idea, that the United States will ever be abandoned enough to make these measures necessary, yet I state the principle, to show, that we have in no sense such a national credit as is necessary to our political existence, nor can we ever have it, until Congress are vested with proper powers.

Awake then, my dear Sir, arouse your neighbours, convince them of the consequence of public credit, and let us all unite in an object of such immense magnitude, and so worthy the pursuit of every patriot.

20. *New York Journal*, 5 July 1787¹

A hogshead of fountain water, says a correspondent, tossed upon the tempestuous ocean for a few months, will thicken, stench, and clear itself—this, it is sincerely to be wished, will be the case with the free and independent states of America. That they were clear as crystal fountains cannot be disputed, and also that we have reaped the rewards of purity, is notorious: we have been since ruffled by the tempests of rebellion and dishonesty in the abstract, and are, at this instant, suffering the purgatory of discredit and faithlessness among the nations, and discontents amid ourselves.—But, continues our correspondent thanks to these jarring discontents, our eyes are again opening; our political waters begin to clarify, and the bright constellation of political virtue has already commenced to cast some rays of *hope* that we shall yet be courted, revered, and honoured as an honest, virtuous, and happy people.—The zeal of yesterday’s proceedings in this city, evince this *important truth*, to which account EXULT ye sons of *New-York*.

1. Reprinted in the *New Jersey Journal*, 11 July; *Hudson Weekly Gazette*, 12 July; *New Hampshire Mercury*, 12 July; *Pennsylvania Packet*, 20 July; *Lansingburgh Northern Centinel*, 23 July.

**21. A Well Wisher to the United States of America
Observations on the Articles of Confederation, New York, 27 July 1787**

On Tuesday, 24 July, the *New York Packet* announced that a pamphlet would be published “Tomorrow.” In its next issue, on Friday, 27 July (and in six successive issues), the *Packet* advertised that the pamphlet “This day is published, and for sale. . . .” The title of the sixteen-page pamphlet is *Observations on the Articles of Confederation of the Thirteen United States of America, Entered into in July, 1778, and ratified and completed the 1st of March, 1781* (Evans 32067).

By these Articles, it clearly appears to have been intended by the Parties, that Congress should be the supreme sovereign Power, in all Cases, and that their Acts and Proceedings should be supremely efficacious, as much as any sovereign Acts whatsoever.—Some Persons may imagine, that no Acts can be Sovereign Acts, without a King, as in Great-Britain, and other Nations ruled by Kings; but it is not the Name or Person of a King, which makes him the Sovereign, or which makes his Acts supreme and absolute, but he becomes sovereign, and his Acts become supreme, by the Constitution, or by the People assenting to his possessing and exercising the sovereign and supreme Power.—It is very plain, that a free People, of any Nation or Country, may lodge the sovereign and supreme Authority, for their own Government, in a Number or Body of Men, without Regard to a King, or the Name of a King, or any single Person.—It was accordingly meant by the Parties to the Articles of Confederation, that Congress should possess and exercise the sovereign and supreme Power over all the United States in Confederation; and that without such Possession and Exercise, the Union and Confederation of the States must be defective and incomplete.

A few Remarks, taken from the British Union, may be of Use, to cast some Light on the American Articles of Union.—In the Union between England and Scotland, the Scotch retained their former Laws and their former Courts of Justice; but after the Union, their Laws were to be all made in the Parliament of Great-Britain; for it would be inconsistent with the Idea of a complete Union, under one Legislature, of King, Lords, and Commons, legislating at Westminster, that the Scotch should, at Home, still be their own Legislators, as before the Union; and though they considered that the King, Lords, and Commons, composing the Legislature of England, were, by their Constitution, as absolute, and might, on Occasions, be as arbitrary and oppressive as the Grand Turk; and that after the Union, and even after the Accession of sixty-one Members, sixteen Lords, and forty-five Commoners from Scotland, the British Legislature would still, by their Constitution, be as absolute as before, and might, on Occasions, be oppressive; they nevertheless, for the Sake of a complete and consistent Union, chose to have their Representatives in the British Parliament, and to have their Laws, in Time to come, from that Parliament; *stipulating at the same Time, that Laws concerning the Regulation of Trade, Customs, and Excise, were to be the same in Scotland as in England*; but all other Laws in Use in Scotland, were to remain in Force after the Union, but alterable by the Parliament of Great-Britain; and that Laws concerning public Right, Policy, and civil Government, should be made

the same throughout the whole united Kingdom, but no Alteration should be made in Laws concerning private Right, except for the evident Utility of the Subjects in Scotland.

Though the Circumstances of the British Union were not similar to the Circumstances of the American Union, and the Parties in the British Union were not *in pari Casu* with the Parties in the American Union, the main Point in the British Union being to subject the Scotch to the Parliament of England, to be thereafter composed of English and Scotch; and the Parties to the American Union having no King, Lords, or Commons to be subject to, or governed by, yet still the following Remarks, arising from the Constitution of the British Union, may be useful to show the Defects of the American Union.

I. If it had been reserved to the Scotch, in some or any particular Cases or Case, to make Regulations for themselves, after the Union, and that in such particular Cases reserved, the Parliament of Great-Britain should not interfere; such a Reservation would have been inconsistent with the Union, and should soon occasion much confusion.

II. If the British Treaty for an Union, had only declared an Union generally, and that the King of England should, under such general Union, be the sole Arbitrer of Peace and War, for Scotland as well as England, and that the Scotch should aid and assist England in all Wars, offensive and defensive; but without infringing or violating the legislative Right of Scotland, within its own Limits; such a Stipulation would be extremely absurd, and would soon occasion much Confusion, because if any legislative Right had been left with Scotland, after the Union, there would have been no End of legislating Pretentions, on various Emergencies and Occasions, nor any precise Boundary left between the legislative and executive Powers, under the Union.

III. If the Articles of the British Union had stipulated nothing concerning the Laws for the Regulation of Trade, Customs, and Excise, or the Laws concerning public Right, Policy, and civil Government, and had not enacted that such Laws should, in Time coming, be the same in Scotland as in England, this would have occasioned the utmost Confusion, by Laws for the Regulation of Trade, Customs, and Excise and concerning public Right, Policy, and civil Government in Scotland, being different from, and clashing with, or derogatory to those Laws in England.

So much for Remarks upon the British Union, as a Kind of Introduction to the following Observations on the Articles of the American Union, and those Articles, in a political Sense, truly appear to be improperly penned, in various Particulars herein after observed upon:

I. The Stipulation, that each State retains it's Sovereignty and Independence, &c. (as in Article 1st) appears to be wrong. Under the Idea of a political Union of thirteen several States confederating together, the Sovereignty of any individual State ought not to have been considered or expressed to be retained by such individual State, because no Sovereignty ought to be supposed to exist in any individual State after the Union, the only Sovereignty which could be useful or of Importance being the United Sovereignty, and of course, the whole Sovereignty of the Thirteen United States ought to be lodged with, and centered

in the Congress, as being the supreme Body or Tribunal, constituted for the Purpose of possessing the united Sovereignties of the Thirteen several United States.

II. If this is just, it will appear, that after the Union, no individual State ought to be it's own Legislator, but that the Laws of each State ought to be made and passed in Congress.—Perhaps this would not have been relished by the individual States, at the Time of the Articles of Union entered into; but now, after some Experience had under those Articles, during which Experience, various Events are said to have happened, to show the Inconvenience of individual States making their own Laws, *ad Libitum*, without regarding Congress; perhaps the individual States will not consider an Alteration to be made in this Respect, either by themselves or Congress, severally or jointly, as any Infringement or Violation of the legislative Right of any individual State, but will consider it as a proper and even necessary Alteration for the Benefit of the Union, and for rendering it more consistent and more complete.

III. If it is considered to be too much for individual States to give up what is called their Sovereignty, their legislative Right, still they may be willing and satisfied to have the Exercise of such their sovereign and legislative Rights modified and abridged, or limited so far that no Law or Laws, Regulation or Regulations, to be made by any individual State, in Time coming, shall be valid, or of any Force or Effect, without the Assent of Congress first had and interposed thereunto.—If this Matter is suffered to continue, as it was left, under the Articles of Union, it will then be clear, that the individual States of the Union chuse to keep up an absurd *Imperium in Imperio*, by individual Sovereignties, and legislative Rights, militating against, and destructive of the Authority of Congress, which ought to be the only sovereign, supreme, and absolute Authority, over, in, and throughout ever Part of the United States.

Upon this Head it is unnecessary to mention the natural Distinctions between Laws and Regulations of one Kind and those of another Kind, between the Laws for the Regulation of Trade, Customs, and Excise, and the Laws concerning public Right, Policy, and civil Government, or to mention that such Laws and Regulations ought to be the same every where, throughout the Whole of the United States, because the Thing is plain and obvious; and if the Doctrine above laid down, is applied to the making an Alteration in the Exercise of Legislation, such Alteration will prevent or remedy the Inconveniencies arising from the former Exercise of Legislation, under the Articles of Union, as well in Regard to Laws for the Regulation of Trade, Customs, and Excise, as Laws concerning public Right, Policy, and civil Government.

The Case that is said to have happened in the State of Massachusetts, after that State had made a Navigation Act, subjecting all Foreigners to pay double Duties, a heavy Tonnage, and high Light-Money, in the Ports of that State, is a deplorable Instance of the Absurdity of any individual State making Laws for itself, for imposing Duties on Ships and Merchandize, when, in the Ports of other individual States of the Union, no such Duties had been imposed, or existed; and the Consequence was, that every foreign Ship destined for the Massachusetts, during the Continuance of the said Duties, went to other Ports, where they could

deal to greater Advantage, and thereby Merchandize of immense or very considerable Value, which would have been exchanged for the Massachusetts Produce, to the great Increase of their Revenue, was diverted into other Channels, and lost to the State of Massachusetts.

This Case alone (though there are other absurd Cases which might be stated) is sufficient to show the Necessity and Propriety of Congress being the sole Legislators, in commercial Matters, for all and every of the States, and also to show, that the commercial Laws and Regulations of all the States of the Union, ought to be the same throughout, for that otherwise it will always be in the Power of individual States to take Advantage of, and sharp upon other States, as much as if they were disunited States.

Sharping being here mentioned, it may not be impertinent to touch upon a Practice had in some States, of decrying and depreciating, and refusing to take the Paper Money of other States, in Payments, unless a certain Discount is allowed by the Tenderer of such Paper Money to the Tenderee or Person who is to receive the same. Of this Kind of Traffic there have lately been glaring Instances, in Regard to the Paper Money of the States of *New-Jersey*, which the Dealers in New-York, and even New-Jersey-Men themselves, refused, and still do refuse, to take, except upon a Discount of at least one Penny in every Shilling; and by artful Management, this Practice has been extended so as to introduce a Variety of Tricks and Frauds into different Dealings and Transactions. From such Practice it must be obvious that artful Dealers have it in their Power to decry and depreciate the Paper Money of any State, and thereby to *Sharp* upon innocent and plain Persons at every Turn, and on all Occasions of their Dealing. One Way to prevent such Practice for the future might be, for Congress, by an Act, to declare that all Paper Money, or Bills for Money on Credit, emitted by any individual State, in Time coming, shall be aided, countenanced, and supported by the Credit of the United States, and where any individual State shall ultimately become deficient in Credit, or in the satisfying of Demands upon them, on Account of their Paper Money, that such Deficiency shall ultimately be made a Charge against the United States, which they shall be answerable to pay, and the deficient State shall be bound to relieve and indemnify the United States, of and from all Deficiency, in the best and most expeditious Manner that such deficient State can relieve and indemnify the United States.—Another Way to discourage, if not to prevent the abovementioned Practice, might be by an Act to be passed by Congress, making it a public Offence and Misdemeanor, in and for any Person or Persons to decry or depreciate, or prevent the Currency of the Paper Money of any individual State, or to take any Discount on any Paper Money of any individual State, and making it lawful for any Person or Persons inhabiting in any of the United States, to summon the Offender and Offenders in the Premises, to appear before any one or two or more Justices acting in the State where the Offender resides; and upon Proof being made of the Offence, by the Oath of one or more credible Witnesses, the Justice or Justices taking Cognizance of the Offence, to fine the Offender in any Sum not exceeding Twelve Pounds Currency, to be paid to the Person or Persons complaining, besides his or their reasonable Charges and Costs in that Behalf sustained. And upon the Offender

neglecting or refusing to pay such Fine and Costs, making it lawful for such Justice and Justices to commit the Offender to the next Gaol, there to continue imprisoned till he pays the Fine and Costs.

So much concerning a Practice not provided against by the Articles of Confederation, may be deemed a Digression; but now to return to the Observations on the penning of the American Articles.

IV. It appears to be stipulated, that in determining Questions in the United States in Congress assembled, each State shall have one Vote, (as in Article 5th) But this appears to be wrong; for that a State twice as large and twice as populous as another State, ought to have two Votes, when the lesser State has only one Vote, and the least or smallest State must certainly have one Vote; but the larger, more extensive, more considerable, and more respectable States, ought to have more than one Vote, ought to have two, or three, or four, or more Votes, in Proportion to the Difference between a considerable or large State, and a smaller State. To maintain otherwise, is to disregard an equal and fair Representation of the States by their Delegates in Congress assembled. But if more than one Vote is to be allowed to some States, still it will not be necessary to cause those States to send a Delegate for each Vote they may become intitled to; for that if they have but one Delegate attending in Congress, such one Delegate may vote as many Times as his Constituents are intitled to vote on any Question.

V. Where it is provided, that no Treaty of Commerce shall be made whereby the legislative Power of the respective States shall be restrained from imposing such Imposts and Duties on Foreigners, as their own People are subjected to, or from prohibiting the Exportation or Importation of any Species of Goods or Commodities whatsoever (as in Article 9th.) It appears to be most improperly expressed and penned; for that no Treaty of Commerce ought to be made, or permitted to be made or entered into, by any Power, other than the Congress, and no individual State ought to possess a legislative Power of imposing Duties on Foreigners, or of prohibiting the Exportation or Importation of any Goods or Commodities, all which ought to be left to Congress, as possessing the sovereign and united legislative Powers of all the individual States; and under this Head of Observations, what has been mentioned above, in the 3d Head of Observations, will forcibly apply.

VI. That the United States in Congress assembled, should be the last Resort, on Appeal, in all Cases (as in the said Article 9th) appears to be right and proper; but then there is no Provision made for enforcing the Decisions or Determinations of Congress, or for carrying them into Execution or Effect; and such Provision may have been designedly omitted, by the Opinion of some Person or Persons concerned in the penning of the Articles, who might consider such a Provision unnecessary, because it is a Principle or Rule in Law, that where a Jurisdiction is given to any Person, or a Body of Persons, to determine Matters in Controversy or Dispute between Parties, it follows by Consequence, that the Person, or Body of Persons intitled to the Jurisdiction, must have an inherent Right to render their Jurisdiction effectual, and to have their Decisions and Determinations enforced and carried into due Execution, by all the Ways and Means in Law, usual or practicable for enforcing the Decisions and Determina-

tions of any Jurisdiction whatever. But as this Principle, or Rule of Law, is recondite, and not obvious to every Person, or any Persons not learned in the Law, it would be better to have an express Provision for enabling Congress to enforce their Decisions, and carry them into Execution. For this Purpose a Law may be passed by Congress, enacting, that in all Cases of Decisions or Determinations made by Congress, upon Matters of Controversy or Dispute between one individual State and another State, or more individual States, the State or States refusing or declining to obey and conform to such Decisions and Determinations, or to acquiesce therein, shall be deemed guilty of the highest Contempt against the sovereign Authority of Congress, and making it lawful for Congress to punish any refractory State or States, by and with such high Penalties, Fines, or Americaments, for their Contempt, as such their Contempt may appear to Congress to deserve: And also making it lawful to and for any Person or Persons, to be appointed by Congress for that Purpose, to attach any two or more of the most reputable and most responsible Inhabitants of and in such refractory and disobedient State or States, and the Persons so attached to be answerable for the Whole of the State or States they belong to, and liable to pay such Fines, Penalties, and Americaments, as shall, by Congress, be imposed on the delinquent State or States; but the Person and Persons so answering and paying for the delinquent State or States, to be reimbursed and indemnified by the respective State or States, according to the Rules and Usage of Law, in Cases where a certain small Number of Persons in a State, County, Parish, or other District [— —] attached to answer for the Whole.

VII. Where it is declared, that the United States in Congress assembled, shall never engage in a War, &c. unless nine States assent to the same (as in Part of the said Article 9th). It appears wrong and absurd; for it is plain, that the sovereign, supreme, and absolute Power was properly intended to be lodged, and ought to be lodged with Congress; and their Resolves and Engagements, whether concerning a War, or any other public Matter, ought, in all Cases, to go by a Majority of the Votes or Voices of the delegated Members, present and acting at the Time, and in no Resolve or Engagement, ought the Assent of nine States to be considered as necessary or proper, but on the contrary unnecessary and improper; because, in many Cases, and on many Occasions of Importance, it might happen, that Nine States, out of Thirteen, might not have their Delegates present in Congress, which might stop, impede, and even defeat, some very important Resolve, however necessary it might be for the public Good to have it passed instantly.

Here it may appear pertinent to mention one other Defect of the Articles of Union, which is, that Congress, in any Part of the Articles, is not vested with any Power or Controul over any of its own Members, and it has been said, that any Member, on the Principle of Law, that *Inter Pares nulla Potestas*, may leave Congress, whenever he pleases, without Leave from Congress, or the State he represents; and that there has been an Instance, of a late Question before Congress, being lost by the wilful Absence of a Member. If it has been so, it must be considered an egregious Defect in the Articles of Union, for it is believed, that this has been the first Instance in the World, of a sovereign and supreme Jurisdiction, conferred on a Body of Men, and at the same Time leaving them without

any Power or Authority over their own individual Members. In various Jurisdictions, in different Countries, it has frequently happened, that individual Members, have been attached, fined, and even imprisoned for Absence, Neglect, and Contempt of Duty; and so it ought to be in Congress, and such Power ought to be assumed by Congress, as a Matter of Course, incident to, and inherent in their Jurisdiction; but if it is weakly considered, that Congress cannot exercise any Power or Authority over their own Members, without an express Law for that purpose; such Law may easily be passed by Congress, making it a high Misdemeanor, in and for any Member to depart, or absent himself from his duty in Congress, without the Leave of Congress, first had and obtained, and to make those Members of Congress who counteract such Law, liable and subject to such Fines and Censures as to Congress, by the Majority of Votes, shall, in their Discretion, seem meet; and to such Law, no Concurrence of any individual State or States, can, in the Nature of the Thing, be at all necessary or proper.

A WELL WISHER to the United States of America, who came lately from London to New-York, surprised to find News-Papers filled with Censures on the Lameness of the Articles of the American Union, was thereby induced to consider those Articles and Censures with some Care, and thereupon, volunteeringly, to write his Observations, as above, which he hopes will give some Satisfaction to those who will peruse them.

**22. John Jay to George Mason, Jr.
New York, 9 August 1787 (excerpts)¹**

It gave me great Pleasure to receive your friendly Letter of the 23d. last month—as your father & Brother passed only a few Days here, I had not so much of their Company as I wished: the Business of the convention would not permit your father to be longer absent from Philada., and your Brother returned there with him. . . .

The public attention here continues steadfastly turned to the Convention—the secrecy of their Deliberations encreases curiosity. I hope their Proceedings will both merit and receive general Approbation. There are characters among the members from whose wisdom and Experience much may justly be expected. They have an arduous Task to perform, but it is in Times and Scenes of Difficulty & Embarrasment that great minds become distinguished . . .

As I cannot promise myself the pleasure of seeing your father here when the Convention dissolves, be so obliging as to assure him of my Esteem & best wishes, and that I greatly regret the Necessity he was under of leaving us so soon. . . .

1. Dft., Jay Collection, Columbia University.

23. New York Journal, 23 August 1787¹

The states of America yet remain *statu quo*, no communications having been received from the Fœderal Convention, to clear away the tenebrous clouds which have so long been pendant on our political hemisphere. Extracts of letters, pieces, and paragraphs innumerable, have filled the papers upon the probable

result of their national consultations; but, as the most absolute secrecy has been maintained by that august assembly, these paragraphs, &c. must be viewed as idle; the chimeras of the several political fancies which brought them forth. It is a subject of no trifling moment to reflect (if reports can be credited) that there is a *certain class* of inhabitants, not a thousand miles from this state, who have predetermined what course to steer—what part to act—let the recommendations of the Convention be what they may.—Against such a curse to the community—against such a class of people—*Good Lord deliver us!*

Every man, says our correspondent, hath his predilections—touch only this creature of his brains and he is mounted on his hobby in a moment, but oppose his favorite sentiment and you may as well put a spur under the saddle to lacerate the galled beast, which will drive him with you into Bunyan's sloughs and quagmires, unless like sir Francis Delaval, you can by touching a spring disengage yourself from the curbless animal.

1. Reprinted in the Lansingburgh *Northern Centinel*, 27 August, and one time in New Hampshire and three times in Massachusetts by 13 September.

**24. From William North
New York, 24 August 1787 (excerpts)¹**

My dear Sister,

. . . *Politics.*

The Convention will not break up till the 15th of October. It is thought that the government which will be proposed by them, will be adopted by most of the States, if not all, those who are refractory must be forced.

The plan will be something like the following—A Governor General & a Senate during good behaviour & Legislative Council—for — years perhaps 3. Taxes—none—Money to be raised by duties on all importations. The States to retain full power as to internal matters—but every thing which relates to the good or evil of the whole, to be under the direction of the General Government. As soon as the plan is ready, Conventions in each state are to be called to approve or condemn.

Now you know more than almost any body else—for the above has been told me in confidence & is not public.

Give my love to the children relations & friends—believe me to be My dear Brother Yours affectionately

P S—You have got my letters—Your two books are at my mothers.

1. RC, Accession No. 11118 (12), N.

**25. Abraham G. Lansing to Abraham Yates, Jr.
26 August 1787 (excerpt)¹**

The Judge and my Brother have attended the Circuit in Montgomery County, from which place the former returned but few Days and will in the Morning go to Washington County to hold a Court—I find but Little Inclination in either of them to repair again to Philadelphia, and from their General Observations I

believe they will not go—early in the Commencement of the Business at Philadelphia, my Brother informed me that he was in sentiment with a respectable *Minority* of that Body, but that they had no prospect of succeeding in the measures proposed, and that he was at a stand whether it would not be proper for him to Leave them. this Circumstance convinces me the more that they will not again attend—Mr Hamilton will consequently be disappointed and chagrined—we have reports here that Mr Paine (common sense) is employed to write in favor of the British form of Government—and that the system which will be recommended to the States will be similar to that Constitution the Kingly part excepted—Your intercourse with the high prerogative Gentlemen will enable you to learn at Least the outlines of the Government which we are in their Ideas to adopt or sink into oblivion—the situation of our Country is critical and truly alarming—if we once get fairly in Confusion it is hard to say w[h]ere we will stop. . . .

1. RC, Yates Papers, NN.

26. Adrastus

New York Journal, 6 September 1787

The management of the press, unfortunately for the public, like many other useful institutions, often falls into improper hands; men of weak minds, and no discernment, we see intrusted as editors of public papers, by which means those vehicles of instruction and entertainment are made the instruments of scandal, calumny, and abuse: the great source of public information is disgraced, and polluted with personal attacks, and paragraphs teeming with private picque and resentment. In a country, where the freedom of the press is held sacred, the printer ought to consider himself the guardian of a public trust, and, on no account, whatever, suffer any thing to pass it which would injure the useful art, or lessen him in the estimation of his readers. We frequently, of late, have had examples of a slanderer sheltered under the cover of the press, and the name of a Calumniator held sacred by a printer. True it is that nothing circulates a paper like detraction, and personal abuse, and this may be one reason for their adopting the plan; but, however, many may read a paper with avidity, filled with scandal, and ridiculing the defects of individuals; yet on reflection they must despise the person who could be guilty of so mean an artifice, as they would scorn a traitor although they approved of the treachery. At the same time that I consider that the character of an individual ought not to be sported with, or his feelings hurt, without a cause. I would not have it understood, that I wish an offender to escape punishment.—There are many vices that come not within the cognizance of the law; these, it would be proper to lash, and hold up as objects of public detestation; as for instance, when a person is so lost to every sense of honor as to profess an attachment and regard for another while he is privately endeavouring to render him odious and ridiculous; then there can be no crime in retaliating and exposing him fully to the world, in order that the community may be on their guard against so dangerous a member of society, who, with a smooth tongue and double face, is capable of concealing and executing the worst intentions beneath the mask of sincerity and friendship.

If these observations should reach the hands to whom they are *particularly* applicable, it is hoped they will have the effect the author intended; and that the press of the one, and the *slender* abilities of the other, will be in future exerted to promote the public good alone; and that no consideration of self interest, on the one part, or vanity on the other, will ever hereafter tempt them to swerve from the line of their duty.

A person, possessed of a moderate share of judgment, may easily find the similarity in the stile of a number of pieces that have lately appeared in print; and a common observer, without having recourse to a *French* or *Latin* dictionary, might discover the learned author; but as a circumstance of this kind would possible create disagreeable sensations in the mind of the party concerned, which is by no means my wish or intention, while there remains a hope of reformation, so I shall, for the present, forbear an explanation, trusting that my moderation will be attributed to its proper motive; a desire of preserving the press from licentiousness. The present occasion would have fully justified a more personal attack, without violating the rules I have laid down, but for the reasons mentioned I shall at this time decline it.

27. Sidney

New York Journal, 13 September 1787

MR. GREENLEAF, I find that the chancellor supposes, that the defect of powers in the confederation, is the cause that our *trade* languishes, that public *credit* expires, and that *glory*, which is not less *necessary* to the prosperity of a *nation*, than *reputation* to *individuals*, a *victim* to *opprobrium* and *disgrace*.

With respect to *trade*, the orator exclaims, "who but owns, that we are at this moment colonies for every purpose, but that of internal taxation, to the nation, from which we vainly hoped our sword had freed us! who but sees with indignation, British ministers, daily dictating laws for the distruction of our commerce!"

It appears to me wonderful, how this gentleman, and not less so, how some of the mercantile branch of the community, whose business led them, we should suppose, more immediately to enquire into the true situation of this matter! have been imposed upon! They will find, if they will please to inform themselves, and for their convenience I shall furnish with a slate of facts, that Congress, if not already, before this time, might have been fully empowered to regulate commercial affairs.

The history whereof is, that the measures of Britain, soon after the peace, in respect to her commerce, alarmed the merchants and made Congress apprehensive, that their powers were not sufficient to command reciprocal advantages in trade, which was left by the confederation and the constitution, to the discretion of Congress and the several legislatures, to be modified as they might think proper: provided, that the disposition of the monies arising from the duties on trade was not left in the power of Congress, or the making of foreign treaties in the power of the legislatures. Congress therefore on the 30th of April, 1784, "Resolved, That it be and it is hereby recommended to the legislatures of the

several states, to vest the United States in Congress assembled, for the term of fifteen years, with power to prohibit any goods, wares, or merchandize, from being imported into, or exported from any of the states, in vessels belonging to or navigated by the subjects of any power with whom these states shall not have formed treaties of commerce; and also, with the powers of prohibiting the subjects of any foreign state, kingdom, or empire, unless authorised by treaty, from importing into the United States, any goods, wares, or merchandize, which are not the produce or manufacture of the dominions of the sovereign, whose subjects they are." But either from the novelty of the matter, the resolutions not being so explicit as they might, or from both, it appears by the journals of Congress, of the 3d March, 1786; that the committee to whom this matter had been referred, report, that "the states of Massachusetts, New-York, New-Jersey, Virginia, had enacted laws conformable to the recommendations contained in the act, but have restrained their operation until the other states shall have substantially complied."

"That three states, namely, Connecticut, Pennsylvania and Maryland, had passed laws, conforming to the same, but have determined the time from which they are to commence; the first, from the time of passing this act, in May, 1785; and the two latter, from the 30th of April, 1784."

"That New-Hampshire, by an act passed, the 23d of June, 1785, have granted full power to regulate their trade, by restrictions or duty, for fifteen years, with a proviso, that the law shall be suspended until the other states have substantially done the same."

"That Rhode-Island, by acts passed in February, and October, 1785, have granted powers for the term of twenty-five years, to regulate trade, between the respective states, and of prohibiting, restraining or regulating the importation, only of all foreign goods in any ships, or vessels, other than those owned by citizens of the United States, and navigated by a certain proportion of citizens; and also with a proviso, restrictive of its operation, until the other states shall have substantially complied."

"That North-Carolina, by an act passed the 2d of June, 1784, have granted powers similar to those granted by Rhode-Island, relative to foreign commerce, but unrestrained in duration, and clogged with a clause, that when all the states shall have substantially complied therewith, it shall become an article of the confederation and perpetual union."

"That they cannot find, that the three other states, namely, Delaware, South-Carolina, and Georgia, have passed any laws, in consequence of the recommendation."

Congress, therefore, on the 3d of March, 1786, passed resolutions explanatory of those of the 30th of April, 1784, and urged the several states to a speedy compliance: this gave lead to observations, that it would be difficult to get the several legislatures, to pass a uniform act, so as when passed, they might be considered, as an additional article in the confederation; that therefore it would be adviseable, to appoint commissioners from the several states to meet, and agree upon, and report, an act for that purpose. But when the legislature of the state of New-York, on the 4th of May, 1786, Resolved, to appoint the commis-

sioners, their powers were made more general; namely, "to form in a convention, to meet at such time, and place, as should be agreed upon, to take into consideration the *trade* and *commerce* of the *United States*; to consider how far a *uniform system* in their commercial intercourse, and regulations, might be necessary, to their common intercourse, and permanent harmony; *and to report to the several states such an act, relative to the great object, as when unanimously ratified by them, would enable the United States in Congress assembled, effectually to provide for the same.*"

In consequence whereof, a meeting was attempted in September, 1786, at Annapolis, in Maryland; but no more than five states appearing, "the commissioners did not conceive it advisable to proceed on to the business of their mission;" but to proceed to what was not in their mission, viz. to recommend another meeting, at Philadelphia, on the 2d Monday in May next; "to take into consideration, the situation of the United States, to devise such other provisions, as shall appear to them necessary to render the constitution of the federal government adequate to the exigencies of the union." Had they ventured to report to the several states, "such an act, relative to this great object, as when unanimously ratified by them, would enable the United States, in Congress assembled, effectually to provide for the same." It is presumed, from the readiness that appeared in all the states, that they would have, without hesitation, complied: for even now, with this conventioning *tide* against it, we find that when this business had been a second time referred, the committee on the 23d of October, 1786, after a review of all the acts, in their report, observe, "that from the above review of the acts passed by the several states, in consequence of the said recommendation, it appears that, though in order to make the *duration* of the powers *equal*, it will be necessary for the states of *Connecticut, Pennsylvania, Maryland, and South-Carolina*, so far to amend their acts, as to *permit* the *authorities* therein granted, to commence their operation at the *time* Congress shall *begin* to *exercise* them, yet still the powers granted by them, and by the states of *Masachusetts, Rhode-Island, New-York, New-Jersey, Delaware, Virginia, and Georgia*, are otherwise in such compliance with the recommendation, that if the states of *New-Hampshire, and North-Carolina*, had conformed their acts to the said resolution, agreeable to the urgent recommendation of Congress of the 3d of March last, the *powers* therein requested, might *immediately begin to operate*; the committee however, are of opinion, that the *acts* of the state of *New-Hampshire, and North-Carolina, manifest so liberal a disposition to grant the necessary powers upon this subject, that their not having complied with the recommendation of March last, must be attributed to other reasons than a disinclination in them, to adapt measures similar to those of their sister states*: the committee, therefore, conceive it necessary, to detail to them, the situation of our commerce, languishing under the most ruinous restrictions in foreign ports, or the benefits which must arise from the due, and equal use of powers, competent to its protection and support, by that body, which can alone beneficially, safely, and effectually exercise the same;" whereupon,

"Resolved, That it be again earnestly recommended to the legislatures of the states of *New-Hampshire, and North-Carolina*, at their next sessions, to reconsider their acts, and pass them in such conformity with the resolutions of the

30th of April, 1784, as to enable, on their part, the United States in Congress assembled, to exercise the powers thereby invested, as soon as possible.”

“Resolved, That as the *extent* and *duration* of the powers to be exercised by the United States in Congress assembled, under the recommendation above mentioned, ought to be *equal*, it be recommended to the legislatures of Connecticut, Pennsylvania, Maryland, and South-Carolina, so far to amend their acts, as to vest the powers therein contained, for the term of fifteen years, *from the day on which Congress shall begin to exercise the same.*”

(a) 9 *Journals of Congress*, 186, 187.¹

(b) 12 *Journals*, 42.

(c) *See the report.*

1. The *New York Journal* left out the internal footnotes markings in the text.

28. Poughkeepsie Country Journal, 19 September 1787

☞ BRUTUS is received, and will appear in our next, with several other matters.

29. New York Journal, 20 September 1787

A correspondent observes, that the politics of this country are veering fast in an eastern direction, instead of being confined to the region of independence and freedom in our western hemisphere. What is the occult cause of this unnatural variation has not as yet been ascertained, or perhaps even attended to by those of our countrymen who have abilities to investigate the mysteries of nature, and, as it is an evil fatal in its consequences, and encreasing daily, it becomes the duty of every good citizen to trace it to its source, as far as leisure and ingenuity will assist him. It is a circumstance well known to every man acquainted with the human mind, that there are infatuating charms in the gaudy show of grandeur, even of an enemy; which imperceptibly and irresistibly inspires those, who, from their situation, are within the reach of its influence, with a reverential awe and respect, and even a blind approbation of every action and measure recommended by those whose external appearance operates as an incontrovertible argument in their favor.

30. Payment by New York to Robert C. Livingston

New York, 21, 29 September, 9 October 1787¹

Auditors Office New York 29th Sept. 1787

I have examin'd the within Account and allow to be due to Robert C. Livingston Esqr the Sum of Eleven Pounds Fourteen Shillings & Five Pence Currency which Sum please to pay him in pursuance of An Act for the Payment of the Salaries of the Officers of Government, and other contingent charges passed the 21st April 1787—

Gerald Bancker Esqr	}	Peter T. Curtenius State Audr.
Treasurer		

Recd. October 9th. 1787. from Gerald Bancker Treasurer Eleven Pounds fourteen Shillings and five pence in full for the within Accounts.

£11. .14. .5.

Robt. C. Livingston

New York Sept. 21. 1786

The State of New York

Dr.

To Robert C. Livingston

To my Expences incurred by going to Maryland in September 1786 to attend The Convention at Annapolis by order of the Legislature—Eleven Pounds fourteen shillings and five Pence

Robt. C. Livingston

New York Sept. 29th. 1787

Personally appeared before me William Neilson Esqr. one of the Aldermen of the City of New York Robert C. Livingston who being duly sworn on Holy Evangelist deposeth and sayeth that The above account is just and true

Robt C. Livingston

Sworn before me

29 Sepr 1787 W. Neilson Aldn

1. MS, Account No. 4045, N.

31. Lansingburgh Northern Centinel, 24 September 1787¹

PARTY SPIRIT

Truth is every where; but do you wish to find it? Separate it from the spirit of party which so often obscures it. When you see any sect whatever, you may be certain error is mixed with truth, which will be no longer distinguishable.

Truth is plain, and does not depend on authority. It removes the stile of disputation, and is a stranger to passion and haughtiness.

Community of opinions will always be a sign of mediocrity of mind; they become a strange mixture when formed into an assembly; the most foolish replace their insufficiency with a fanatic tone; they think themselves invincible because they are united; they are deceived; as it is impossible but in a body there must be some foolish, weak and ignorant persons. Those men will perform some character; they utter nonsense and absurdities; they exaggerate the principles of the sect; and the body that receives them becomes bound for their nonsense; quarrels arise, their clothes and manners are turned into ridicule; sensible men suffer for their errors, impertinencies are the exaggeration of the imprudent.

The Encyclopedical sect, the Oeconomic sect, the Academic sect, by forming an offensive and defensive league have given cause for the attack, and have invited men of sense to ridicule such strange pretensions in the present age. The more numerous the members, the more confined they are. This observation of Montesquieu's is applicable to all these little modern synods who have declared *science*, *doctrine*, and *taste*, to be only found among them. The spirit of *Coterie* soon destroyed the spirit of universal benevolence with which they seemed to be animated.

Is it not more useful, when a man feels himself capable, to walk in the lists according to his own fancy, and nor to be bound to follow those wandering banners, displayed only to rally weak minds; to search calmly after truth, without fancying such or such a society, prostrated before such a chief, possesses an exclusive privilege for the discovery.

If one wishes to be just to everybody, and not to be guilty of gross errors, one must not adopt *party-spirit*.

1. Reprinted: *New York Packet*, 15 April 1788.

32. Boston American Herald, 24 September 1787

Extract of a letter from New-York, Sept. 6

“In no place of the United States are more exertions made to keep up an idea of military skill and enterprize, than in this city. Fines of such weight are laid upon all who refuse (without sufficient excuse) to turn out, as make absence from the ranks a very serious affair.—We are almost every day marching and counter-marching, storming forts and making prisoners of garrisons.—While in most other states the form and shadow only are preserved, we here enter into the very spirit and essence of warfare, and are at no small annual expence in gunpowder on these occasions, for fear our juvenile citizens should not be acquainted with the smell thereof, when the day of serious trial approaches. Institutions of this nature are certainly excellent and praise-worthy. Discipline is the life of war, and without it courage itself seems to be almost a useless virtue. The ancient Romans should be our pattern in this respect; by a superiority in their discipline they over-ran many nations, who were otherwise undoubtedly every way equal to themselves.—*Waller* says,

“Great Julius, on the mountain bred,
A flock perhaps, or herd had led:
HE, who the world subdued, had been
But the best wrestler on the green.”

33. Ebenezer Hazard to Jeremy Belknap New York, 25 September 1787 (excerpt)¹

. . . The Convention have done their business, and, considering circumstances, I think have proposed an excellent Constitution. You will have it before this can reach you, or I would send it. . . .

1. Printed: “The Belknap Papers,” *Collections* of the Massachusetts Historical Society, 5th series, Vol. II (Boston, 1877), 492.

34. James Kent Memoirs, October 1787–26 July 1788 (excerpts)¹

CHANCELLOR, JAMES KENT’S MEMORIES OF
ALEXANDER HAMILTON

NEW YORK, December 10, 1832.

TO MRS. ELIZABETH HAMILTON:

DEAR MADAM,—You have requested of me “a detailed reply to the several queries subjoined,” and you express a hope that you may not in that request “be regarded as asking more than my friendship to your father and husband would readily grant.” I beg leave to assure you that it is sufficient that the application comes from the daughter of General Schuyler and the widow of General Hamilton, to make it command all the information within my power to impart; and I have only to regret that neither my memory nor the materials before me are sufficient to meet the extent of my wishes or to equal your expectations. The following are the questions you have proposed: . . .

7. “My father’s agency in adopting the Constitution, and Judge Benson’s?” . . .
 . . . It will be convenient, and will tend to give method and perspicuity to my recollections, if we divide the historical sketches of your husband’s life in the following manner: . . .

2. His services in relation to the origin and adoption of the Federal Constitution. . . .

II

The second branch of the inquiry brings me to consider the services of General Hamilton in relation to the origin and adoption of the Federal Constitution. I never had any means of information respecting the extent and merit of those services, except such as were accessible to the public at large. It was a remark of the Hon. W. S. Johnson, who was a member of the Convention from Connecticut (and which remark was mentioned to me from a very authentic source about that period, though I cannot now recollect the precise time), that if the Constitution should prove to be a failure, Mr. Hamilton would be less responsible than any other member, for he frankly pointed out to the Convention what he apprehended to be its infirmities; and that, on the other hand, if it should operate well, the nation would be more indebted to him than to any other individual, for no one labored more faithfully than he did, nor with equal activity, to give the Constitution a fair trial, by guarding against every evil tendency, and by clothing it with all the attributes and stability requisite for its safety and success, and compatible with the principles of the republican theory.

This was the substance, though I cannot give the exact words of the remark, and it is confirmed by all our contemporary information. Mr. Hamilton’s avowed object was to make the experiment of a great federative republic, moving in the largest sphere and resting entirely on a popular basis, as complete, satisfactory, and decisive as possible. He considered the best interests and happiness of mankind as deeply, and perhaps finally, involved in the experiment. He knew and said that no other government but a republic would be admitted or endured in this country. Experimental propositions were made in the Convention and received as suggestions for consideration, and he has stated himself that the highest-toned proposition which he ever made was that the President and Senate should be elected by electors chosen by the people, and that they, as well as the judges, should hold their offices during good behavior, and that the House of Representatives should be elected triennially.

But his opinion essentially changed during the progress of the discussions, and he became satisfied that it would be dangerous to the public tranquility to elect, by popular elections, a Chief Magistrate with so permanent a tenure; and toward the close of the convention his subsequent plan gave to the office of President a duration of only three years. He remained with the Convention to the last, though his colleagues, Robert Yates and John Lansing, Junior, had left it some weeks before; singly representing this State, he heartily assented to and signed the Constitution. It appears to me, therefore, that his friend Gouverneur Morris did him great injustice when he represented him, according to the correspondence contained in Mr. Sparks' "Life of Gouverneur Morris," as having "had little share in forming the Constitution," and as "hating republican government, because he confounded it with democatrical government." All the documentary proof and the current observation at the time, lead us to the conclusion that he surpassed all his contemporaries in his exertions to create, recommend, adopt, and defend the Constitution of the United States.

All his actions and all his writings as a public man show that he was the uniform, ardent, and inflexible friend of justice and of national civil liberty. He had fought for our republic during the American War. In his early production as *Phocion* he declared that "the noble struggle we had made in the cause of liberty, had occasioned a kind of revolution in human sentiment; we had the greatest advantages for promoting it that ever a people had; the influence of our example had penetrated the gloomy regions of despotism, and had pointed the way to inquiries which might shake it to its deepest foundations." That immortal work *The Federalist* is the most incontestable evidence of his fervent attachment to the liberties of this country, and of his extreme solicitude for the honor and success of the republican system. His recorded speeches in the State Convention, as taken down in short hand at the time by Mr. Childs, and written out by him in the evenings at my house, contain the same sentiments, coming fresh and fervent from his own lips. "I presume I shall not be disbelieved," he said, "when I declare, that the establishment of a republican government, on a safe and solid basis, is an object of all others the nearest and most dear to my heart."

General Hamilton confound republican with democatrical government! It is contradicted by the whole tenor of his life. While he admitted that the petty republics of Greece and Italy were kept in a state of perpetual vibration between the extremes of tyranny and anarchy, he declared, in the 9th number of *The Federalist*, that "the efficacy of various principles is now well understood, which were either not known at all or imperfectly known to the ancients. The regular distribution of power into distinct departments; the introduction of legislative balances and checks; the institution of courts composed of judges holding their offices during good behavior; the representation of the people in the Legislature by deputies of their own election,—these are means, and powerful means, by which the excellences of republican government may be retained and its imperfections lessened or avoided." If he doubted of its success, from his knowledge of history and his profound reflections upon the infirmities and corrupt passions of mankind, he was none the less anxious to meet those inherent dif-

faculties, by a skillful and judicious structure of the republican machinery of government. Nor ought it to be forgotten that none of the last proofs which he gave of his inextinguishable devotion to the popular rights of his countrymen was his gratuitous and glorious forensic effort in favor of trial by jury and the liberty of the press.

At the October term of the Supreme Court at Albany, in 1787, I was, for the first time, personally introduced to Colonel Hamilton. I had the honor of dining at your father's house, in company with him and several other gentlemen, and as the new Constitution had just then appeared, it was of course the engrossing topic of conversation. I was a fixed and diffident listener, without presuming to intrude at all into the discussions of such sages. General Schuyler was full of lively, spirited, and instructive reflections, and he went into details, showing, in his usual calculating manner, the great expense and complicated provisions of our local financial systems, and the order, simplicity, and economy that would attend one national system of revenue.

Mr. Hamilton appeared to be careless and desultory in his remarks, and it occurred to me afterwards how little did I then suppose that he was deeply meditating the plan of the immortal work of *The Federalist*. In the latter part of the same month of October, the essays which compose the volumes of *The Federalist* were commenced in the New York papers. Three or four numbers were published in the course of a week, and they were not concluded until nearly the time of the New York Convention in June, 1788. Those essays, as they successively appeared, were sought after and read, with the greatest avidity and constantly increasing admiration, by all persons favorable to the adoption of the Constitution. Colonel Hamilton was very soon and very generally understood to be the sole, or the principal, author. As the small and humble *Poughkeepsie Journal* was an incompetent vehicle for the republication of them, I undertook at first to make an abridgment, or abstract, of them for that paper, and it was the only newspaper then printed in this State, out of the cities of New York and Albany; but this was soon found to be impracticable, and that if it could be done they would lose all their interest and effect. The essays had grown in number sufficient for a small volume early in the spring of 1788, and the first part of them, to the extent of thirty-six numbers, were collected and reprinted, and a large number of the volumes were sent to me at Poughkeepsie for gratuitous distribution. My former master, mentor, and friend, Judge Benson, attended with me a county meeting in Dutchess, called for the nomination of delegates to the Convention, and the volumes were there circulated to the best of our judgments.

The essays composing *The Federalist* made, at the time, a wonderful impression upon reflecting men. The necessity and importance of the union of the States, the utter incompetency of the Articles of Confederation to maintain that union, their fundamental and fatal defects, the infirmities which seemed to be inherent in all ancient and modern confederacies, and the disasters which had usually attended them, and finally, the absolute necessity of a government organized upon the principles, and clothed with the powers and attributes of that which was then presented to the judgment of the American people,—were all of them topics of vast magnitude and affecting most deeply all our foreign and domestic

concerns. They were discussed in a masterly manner, and with a talent, strength, information, and eloquence to which we had not been accustomed. The appeal to the good sense and patriotism of the country was not made in vain. It usually met with a warm reception in frank and liberal minds, not blinded by prejudice, nor corrupted by self-interest, nor enslaved by party discipline.

The New York Convention assembled at Poughkeepsie on the 17th June, 1788. It formed the most splendid constellation of the sages and patriots of the Revolution which I had ever witnessed, and the intense interest with which the meeting of the Convention was anticipated and regarded can now scarcely be conceived and much less felt. As I then resided in that village, I laid aside all other business and avocations, and attended the Convention as a spectator, daily and steadily, during the whole six weeks of its session, and was an eye and an ear witness to everything of a public nature that was done or said. The Convention was composed of sixty-five members, and of them nineteen were Federalists, or in favor of the adoption of the Constitution, and forty-six were Anti-Federalists, or against the adoption of it without previous amendments. Not a member of that Convention is now living. The remark will equally apply, as I believe, with but one exception besides myself, to every man who was then a housekeeper either in the village or its environs. That bright and golden age of the Republic may now be numbered "with the years beyond the flood," and I am left almost alone, to recall and enjoy the enchanting vision.

The Convention combined the talents, experience, and weight of character of some of the most distinguished men in the State. Most of them had been disciplined in the discussions, services, and perils of the Revolution. The principal speakers on the Federal side were Mr. Jay (then Secretary for Foreign Affairs), Chancellor Livingston, Mr. Duane (then Mayor of New York), Mr. Harrison, and Colonel Hamilton. On the other side they were the elder Governor Clinton, Mr. (afterwards Chancellor) Lansing, Mr. Jones (afterwards Recorder of New York), John Williams of Washington County, and Gilbert Livingston and Melancthon Smith, delegates from Dutchess. There was no difficulty in deciding at once on which side of the house the superiority in debate existed, yet in the ordinary range of the discussion, it was found that the dignity, candor, and strength of Jay, the polished address and elegant erudition of Chancellor Livingston, the profound sagacity and exhaustive researches of Hamilton, were met with equal pretensions by their opponents, supported by the simplicity and unpretending good sense of Clinton, the popular opinions and plausible deductions of Lansing, the metaphysical mind, prepossessing plainness, and embarrassing subtleties of Smith.

Mr. Hamilton maintained the ascendancy on every question, and being the only person present who had signed the Constitution, he felt and sustained the weight of the responsibility which belonged to his party. He was indisputably pre-eminent, and all seemed, as by a common consent, to concede to him the burden and the honor of the debate. Melancthon Smith was equally the most prominent and the most responsible speaker on the Anti-Federal side of the Convention. There was no person to be compared to him in his powers of acute and logical discussion. He was Mr. Hamilton's most persevering and formidable antagonist.

But even Smith was routed in every contest. As Hamilton had been a leading member of the National Convention and a leading writer of *The Federalist*, his mind had become familiar with the principles of Federal government and with every topic of debate, and it was prompt, ardent, energetic, and overflowing with an exuberance of argument and illustration. The three principal topics of discussion in which Mr. Hamilton was most distinguished and most masterly, were: (1) On the importance of the Union, the defects of the Confederation, and the just principles of representation. (2) On the requisite tenure and stability of the Senate. (3) On the power of taxation, and the reserved rights of the States. On each of these subjects he bestowed several speeches, some of which were employed in refutation and reply.

He generally spoke with much animation and energy and with considerable gesture. His language was clear, nervous, and classical. His investigations penetrated to the foundation and reason of every doctrine and principle which he examined, and he brought to the debate a mind filled with all the learning and precedents applicable to the subject. He never omitted to meet, examine, and discover the strength or weakness, the truth or falsehood of every proposition with which he had to contend. His candor was magnanimous and rose to a level with his abilities. His temper was spirited but courteous, amiable and generous, and he frequently made pathetic [i.e., compassionate] and powerful appeals to the moral sense and patriotism, the fears and hopes of the assembly, in order to give them a deep sense of the difficulties of the crisis and prepare their minds for the reception of the Constitution.

The style and manner of Smith's speaking was dry, plain, and syllogistic, and it behooved his adversary to examine well the ground on which they started, and not to concede too much at the beginning, or he would find it somewhat embarrassing to extricate himself from a subtle web of sophistry, unless indeed he happened to possess the giant strength of Hamilton, which nothing could withstand. Mr. Smith was a man of remarkable simplicity, and of the most gentle, liberal, and amiable disposition. Though I felt strong political prejudices against Governor Clinton, as the leader of the Anti-Federal party, yet during the course of that Convention, I became very favorably struck with the dignity with which he presided, and with his unassuming and modest pretensions as a speaker. It was impossible not to feel respect for such a man, and for a young person not to be somewhat over-awed in his presence, when it was apparent in all his actions and deportment that he possessed great decision of character and a stern inflexibility of purpose.

The arguments used by Colonel Hamilton in the debates in the Convention were substantially the same which he had before employed in *The Federalist*. They could not well have been any other, for he had already urged, in support of the Constitution all the leading considerations which had led to the plan of it, and which guided the skill of the artists. The wisdom of the commentator was now repeated and enforced by the eloquence of the orator.

In his opening speech Mr. Hamilton preliminarily observed that it was of the utmost importance that the Convention should be thoroughly and deeply impressed with a conviction of the necessity of the Union of the States. If they could but once be entirely satisfied of that great truth, and would duly reflect

upon it, their minds would then be prepared to admit the necessity of a government of similar powers and organization with the one before them, to uphold and preserve that Union. It was equally so, he said by way of illustration, with the doctrine of the Immortality of the Soul, and he believed with Doctor Young that doubts on that subject were one great cause of modern infidelity; for to convince men that they have within them immaterial and immortal spirits is going very far to prepare their minds for the ready reception of Christian truth.

After pointing out the radical defects of the Confederation, and vindicating the popular basis of the new Constitution, he declared his convictions that the latter was a genuine specimen of a representative and republican government; and he hoped and trusted that we had found a cure for our evils, and that the new government would prove, in an eminent degree, a blessing to the nation. He concluded his first great speech with the Patriot's Prayer, "Oh, save my country, Heaven!" in allusion to the brave Cobham, who fell, "his ruling passion strong in death."

His two speeches on the organization, powers, and stability of the Senate were regarded at the time as the best specimens which the debates afforded of the ability and wisdom of a consummate statesman. They were made in opposition to a proposed amendment to the Constitution that no person should be eligible as a Senator for more than six years in any term of twelve years, and that they should at all times, within the period of six years, be subject to recall by the State Legislatures, and to the substitution of others. Mr. Hamilton on that occasion took large and philosophical views of the nature of man, his interests, his passions, his pursuits, his duties; and he drew his deductions from the end and design of government, the settled principles of policy, and the history of all other free governments, ancient and modern. He discovered equally an ardent zeal for the success of popular government, and a correct knowledge of those infirmities which had invariably attended it. Instability and a fluctuating policy were the prominent features in most republican systems, and the tendency of such vicious defects was to destroy all sense of pride and national character, and to forfeit the respect and confidence of other nations. He contended, therefore, that in all rational policy we ought to infuse a principle of strength and stability into the structure of our national government, by the creation of a senatorial branch, which should be comparatively small in number, and appointed for considerable periods of time, and inspired with a sense of independence in the exercise of its powers. Upon no other plan would the Senate, either in its legislative or executive character, be able to perform its functions, as the balance-wheel of the machine; or form on the one hand a salutary check to the mischiefs of misguided zeal and a fluctuating policy in the more popular branch, and on the other to the abuses and misrule of the President, in the exercise of the treaty and the appointing powers.

The tendency of federative governments, as all history taught us, was to weakness and dissolution, by gradual and steady encroachments of the members upon the national authority. Our own experience under the Articles of Confederation was a monitory example before our eyes of this fatal tendency. Local governments more readily concentrated popular sympathies and prejudices. The affec-

tions naturally grew languid in proportion to the expansion of the circle in which they moved.

Though Mr. Hamilton considered that amendment as tending to destroy the dignity and stability of the national Senate, and give the State Legislatures a fatal control in their discretion over the legislative and executive authorities of the Union, it was nevertheless adopted by a vote of all the Anti-Federal members of the Convention, and it was one of the recommendatory amendments annexed to the ratification of the instrument. During the sitting of the Convention, information was received that New Hampshire had adopted the Constitution, and she made the ninth State that had adopted it. That great event wrought at once an important change in the situation of the United States, inasmuch as the Confederation thereby became *ipso facto* dissolved, and the new Constitution had become the lawful government of the States which had ratified it.

But the fact, however momentous, did not seem to disturb the tranquility or shake the purpose of a majority of the Convention. Mr. M. Smith and Mr. Lansing both declared that the event had no influence on their deliberations, and the Convention continued their sharp debate for three weeks subsequent to that information and apparently regardless of it, and until all hopes of an auspicious issue to it seemed to be lost. It was in the midst of that gloomy period, and just before the clouds began to disperse and serene skies to appear, that Mr. Hamilton made one of his most pathetic and impassioned addresses. He urged every motive that he thought ought to govern men, and he touched with exquisite skill every chord of sympathy that could be made to vibrate in the human breast. Our country, our honor, our friends, our posterity were placed in vivid colors before us. He alluded slightly to the distress and degradation which dictated the call for a National Convention, and he portrayed in matchless style the characters of that illustrious assembly, composed undoubtedly of the best and brightest of the American statesmen, who could have had no motive but their country's good. They had lived in "times that tried men's souls." To discriminate might be odious. It could not be so to select Franklin, revered by the wise men of Europe, and Washington, "crowned with laurels, loaded with glory."

Soon thereafter information was received that Virginia had also adopted the Constitution. Colonel Hamilton read a letter to the Convention to that effect from Mr. Madison, and then a visible change took place in the disposition of the House, and led it to think of adopting the Constitution upon certain terms. A resolution to adopt it was before the House when Mr. M. Smith moved an amendment that it be ratified upon condition that certain powers contained in the instrument should not be exercised until a general convention of the States had been called to propose amendments. This proposition was discussed for some days, with increasing agitation and anxiety, and it was at last urged that the adoption of the Constitution would readily be received with that qualification annexed. Mr. Hamilton was strenuous and peremptory in his opinion and advice to the House, that such a conditional ratification was void, and would not and could not be accepted by Congress. All expectation from such a source he assured them would prove delusive. The members generally and gradually assumed a more conciliatory tone, and all vehemence in debate seemed to have ceased

as by common consent. "We did not come here," said Mr. Jay, "to carry points or gain party triumphs. We ought not to wish it. We were without a national government and on the eve of an untried era. Everything demanded concession and moderation. The laurels of party victory might peradventure be bedewed with the tears or stained with the blood of our fellow-citizens."

Colonel Hamilton disclaimed the intention of wounding the feelings of any individual, though he admitted that he had expressed himself, in the course of the debates, in strong language dictated by ardent feelings arising out of the interesting nature of the discussions. On no subject, he observed, had his breast been filled with stronger emotions or agitated with more anxious concern. The spirit of the House was liberal and cheering, and at last Samuel Jones, one of the Anti-Federal members, had the magnanimity to move to substitute the words "in full confidence" in lieu of the words "upon condition." He was supported by Melancthon Smith, who had so eminently distinguished himself throughout the whole course of the session, and by Zephaniah Platt, then first judge of the County of Dutchess, who made a few observations expressing in a plain, frank manner, his sense of duty on that occasion and his determination to follow it. The members who came over from the Anti-Federal side of the House were twelve in number, being four members from Dutchess, four from Queens, three from Suffolk, and one from Washington, and, uniting themselves with the nineteen Federal members from New York, Westchester, Kings, and Richmond, they constituted a majority in the Convention, and the Constitution was ratified on the 26th of July.

I always considered that the gentlemen who made this memorable and unbought sacrifice of prejudice, error, and pride on the altar of patriotism and their country's welfare, were entitled to the highest honor. It was quite an heroic effort to quit such a leader as Governor Clinton, and such men as Yates and Lansing, who had been delegates to the General Convention, even though it was to follow their own convictions. It was understood that several other members were inclined to follow the same course, but they could not be brought to desert Governor Clinton, who remained inflexible. Had he consented to vote for the Constitution, the final ratification of it would probably have been unanimous. As it was, the spirit of harmony and conciliation with which the Convention closed was deemed most auspicious by all sincere lovers of their country. Considering the circumstances under which the Convention assembled, the manner in which it terminated afforded a new and instructive example of wisdom and moderation to mankind. . . .

1. Printed: William Kent, *Memoirs and Letters of James Kent, LL.D.* . . . (Boston, 1898), 298–312.

35. Henry Chapman to Stephen Collins & Son New York, 1 October 1787 (excerpt)¹

Your favor of the 22d ulto. did not come to hand until yesterday, I was pleased to find by it that you had rec'd. mine of (I forgot the date) to your S.C. by Mr. Franklin—I wrote your S.C. a few days ago by Mr Frazer and therein furnished

him with a large field for political discussion respecting the New Constitution which again I say I think unexceptionable as far as I can Judge . . .

1. RC, Papers of Stephen Collins & Son, DLC.

**36. John Rutledge to George Washington
Philadelphia, 1 October 1787 (excerpt)¹**

. . . I returned, Yesterday, from New-York, where, I think, the new Constitution will be very generally approved—It is, here, almost universally. . . .

1. RC, Washington Papers, DLC.

37. New York Packet, 2 October 1787¹

Youth, says a celebrated political writer, is the feed time of good habits as well in nations, as individuals.—It might be difficult if not impossible to form the continent into one government half a century hence. The vast variety of interests occasioned by an increase of trade and population would create confusion. State would be against State. Each being able would scorn each other's assistance: And while the proud and foolish gloried in their little distinctions; the wise would lament that the union had not been formed before. Wherefore the present time is the true time of establishing it.

1. Reprinted: Poughkeepsie *Country Journal* and *New Jersey Journal*, 10 October.

**38. Melancton Smith to Andrew Craigie
New York, 4 October 1787 (excerpt)¹**

. . . The new Constitution is reported. I would have sent you a copy of it, with the objections I have to it, but I do not think it best to put you to cost of postage—I will do it by the Betsy for London, which sails in about ten days. . . .

1. RC, Andrew Craigie Papers Bound, American Antiquarian Society, Worcester, Mass.

39. Albany Gazette, 4 October 1787

We have information that the members of the Legislature belonging to the southern parts of this State intend to be very punctual in their attendance at their meeting at the time that is or may be appointed for that purpose, in order to form a house, and have it in their power immediately to adjourn to New-York—It is therefore hoped that the northern gentlemen will be equally punctual, that a fair trial may be made, whether a country session will not be, at least, as advantageous to the State at large, as a city one.

40. Inspector II

New York Journal, 4 October 1787

My darling boy, on reading another frothy publication, exclaimed—“my dear papa, here is something more about Tom S**t, and his immaculate daddy,—Let us have it, my child, replied I, in plain English. Why papa, said he, I understand from this piece, that Mrs. Columbia, a lady of a considerable landed property and expectations, is going to live in great state, and wants a trusty servant to superintend her plantations—Now here is a list of persons said to be qualified to fill such an office, and amongst the rest I perceive those of Tom S**t, and his immaculate daddy, Justice Midas.

My child, said I, you are unacquainted with the world, or you would immediately smoke this business: Tom S**t is a cunning rogue, and, finding himself likely to be disappointed in his other negotiations, is now manœuvring for something else, in which, however, be assured he will be alike disappointed.

Tom, you must know, was deputed some time since, by some of the trusty servants of this very lady, to meet a number of her friends, in order to digest a plan for settling her estate—but Tom did more hurt in that assembly than good—his tongue was incessantly in play to very wicked purposes—he went so far as to propose putting a superintendant in possession of the whole estate during life; and that every one should bow down in due obeysence before him; and his wrath kindled into contest, malice, and detestation, against all who opposed this nefarious system.

But Tom never consulted the ladies interest in all this declamation; self was his Narcissus, and unbounded ambition his prevailing passion. Such strides had he already made in emerging from obscurity, that he conceived nothing was beyond the reach of his good fortune; besides this, he had two strings to his bow. Justice Midas might probably have his chance, and whilst daddy swims, Tom cannot sink.

Instead of Tom’s plan, another, framed by Squire Timbertoe, was adopted, in which it was agreed, that a certain number of good men take charge of the estate, and that one should be chosen to superintend over the rest, but, that he should continue only four years in office.

Now Tom, in order to effect the plan he had at first in view, has in this piece tacked his own and his daddy’s name to a list of the best servants in the country, which he has caused to be handed in to the lady, that she might make her election; artfully placing his daddy’s name at the beginning, and his own last, that there might be no possibility of their escaping her observation.

What, said my boy, do you then suppose that Tom S**t fabricated this list himself?

Doubtless, child, replied I, for it is so much of a piece with his other late publications, that one may see this, and all its intended consequences, with half an eye.

And what is the reason, says my boy, that you think his scheme will not succeed?

A very substantial one, child—Tom is found out to be of over-bearing principles, who only desires to ride on the great horse, in order, that he may have the pleasure of trampling on the croud.

I suppose, papa, that Tom S**t must have a great deal of money to make him so bold?

Yes, my child, they say he has acquired a very handsome property.

Honestly, I suppose?

Why yes, as the world goes—he made it by pleading for traitors, who purchased his friendship with the spoils of their bleeding country.

Dear papa, you frighten me—but is Justice Midas rich?—They say he is.

Pray, how did he acquire his fortune?

Go to school—go to school, you rogue!—boys must not be told every thing.

Si vitam inspicias, hominumque denique mores;

Si vitam inspicias, nemo sine crimine vivit.

41. New York Morning Post, 5 October 1787¹

A gentleman from the northward advises, that, as he was passing through Kingsborough, in Washington county, he was agreeably surprised to see, as it were, in a wilderness, Capt. Seth Sherwood, dressed in regimentals, at the head of a company of hardy young veterans, who performed the military manœuvres with the greatest dexterity. Captain Sherwood informed him, that a circle, which now contains seven companies, before the war contained but one only. If the frontiers of this state continue to populate in a similar proportion a few years more, what power will dare to disturb them?

1. The *New York Morning Post*, 5 October, is not extant. The text comes from the *Pennsylvania Herald*, 10 October, which reprinted the item under a New York, 5 October, date-line.

42. James Kent to Nathaniel Lawrence Poughkeepsie, 6 October 1787¹

I hardly know what apology to make for troubling you so frequently & assuming such an unsuitable proportion of the correspondence to myself—But my great Esteem is candidly the chief inducement to my recalling you to my remembrance in this explicit manner. & besides the Heart feels much relief & consolation in giving utterance to the tender sentiments of friendship especially when we are under the pressure of vexation & don't find that things go according to our minds & to truth in the affairs of the world—In disclosing our feelings to those who have goodness & Justice enough not to make them then apart, we seem to rise for a moment by the enrichment of sympathy above the difficulties of our situation & to feel as tho we were in a region of purer & brighter spirits where virtue & public love had an undisputed dominion.

I have three sources of discontent at present—1st Nobody here agrees with me in politics or has as I conceive *just & liberal* sentiments upon the government of America—2^d the religious prejudices of some of my Neighbours are so inconsistent with good sence that they about to call a man here who I think is a fool & who they acknowledge has no education, but whom—notwithstanding—

I am not at liberty to censure, or even breathe a distrust of his sound sence & infallible Truth without incurring the risque of being declared a downright Infidel—This is to me a matter of much Uneasiness as from my wish not to offend the pious Ear, it is the only Subject in which I find a restraint to my determined Independence & 3d I have involved myself in a quarrel with two of the most worthless Men in my Profession March & Hoffman—with the first because I have made it public even to the Judges & Clerk that he a few weeks Since altered an old writ which had been found on another Man & arrested Olivier with it in a most malicious & vexatious manner—The old Clerk is determined to make his Complaint to the Court & I am the witness—As to Hoffman he says that I have sinned against Conscience in framing a set of Rules for our Court after the Model of yours in N. York, & thereby obliging poor honest farmers to pay their Debts a Term sooner than they did before by our loose practice of delaying Cause, without any justifiable Defence—I am sensible I can myself as all good enthusiasts can do, *to God & my Conscience* but the savage discord of those fellows is still very disagreeable to me in the course of my Profession—If the Court have that Spirit which good Judges ought to have, but which I hardly expect, I can inform you by the next trip, that we have delivered Dutchess Coñ Pleas from the Disgrace & the People of the County from the Oppression of such a practioner as March—

As to Politics I was determined to speak my Mind & not to be silenced by mere authority or Party—I therefore wrote a short approbation of the new System which I inclose—It is declamatory but it answered my purpose & if any person attacks the new government here in print, I intend to attack *him*—

I really *feel* the want of such a friend here as you—not only as a friend to me but to every thing that is wise & good—& if ever you should think it your interest to remove here I would gladly sacrifice a proportion of my practice for the pleasure of your Friendship & Support—I have read this season past the Reports of [Burrow?] regularly thro, & I assure you I have gathered a great deal of Information—many little Cases I omitted but all in which the pleadings of the bar or the Opinion of the Court were stated at length I gave my attention—I cannot find that Judge Yates differed from his Brethren but twice tho Junius speaks of a continued Opposition—In those two Cases my Opinion is almost involuntarily with him from a thorough persuasion of his honest & accurate Mind—One of the Cases is the famous question about a copyright at Coñ Law & I recommend the Arguments of the Judges to your perusal—It is a great Compliment to the Opinion of Judge Yates that it was confirmed on error to the House of Peers. There is another very learned Argument on a Case in Chancery in 1 Black. Rep. & you will see by that how nearly Blackstone has copied his History of *Uses & Trusts* in his 2d Vol. from the Argument of Lord Mansfield recited in that Case—You will naturally be led to think of these Heads in your preperation for Council—

With my best Respect to your most admirable Lady & a Congratulation on your new Situation on housekeepers.

1. RC, Dreer Collection, American Lawyers, PHI.

43. Aristides

New York Daily Advertiser, 6 October 1787¹

Mr. CHILDS, I was a good deal surprised, on reading the New-York Journal of this day, to find an impudent and scurrilous attempt of low wit, to throw an odium on the character of a gentleman, not more universally known than respected. I was the more astonished at it, since the Editor, in the same paper, endeavors to justify himself from all partiality; and, with the same breath, promises to admit *hereafter* such pieces *only* as *decency* warrants. Now, whether there is a syllable in the Inspector, No. 2, which throws light on political controversy, or which can any way advance the *national interest*, I submit to the candid part of society: It is certainly very unmanly in the *Inspector* (who ought, more properly, to have assumed the title of *An Inquisitor*) to attack, in so gross a manner, the reputation of a citizen, invulnerable in *his own personal conduct*, and to whom this State, and the Union at large, owe some weighty obligations. Is it *honest*, I would ask, to torture his able and well-intended, his judicious and patriotic exertions to subserve the common interest of this young empire; and to wrest it into a disposition hostile to liberty, and promotive only of his own personal aggrandizement? Has any act in his military, professional or political career, been substantiated, by *credible or avowed testimony*, as a deviation from the nicest rectitude—or as stained in any manner with dishonor? I believe not.—Since, then, neither envy, nor the strongest efforts of a depraved nature; since that species of revenge, which arises from heart-knawing jealousy; and since even the *covert attack of a formidable few* can establish nothing, which, in the least measure, can justly lessen his well-acquired and *honorable popularity*; what avail the late synonymous and miserable expedients to violate his fame? What triumph have the libels, so plenteously disgorged, obtained in the eyes of the generous and independent part of a community, whose object was not less weak than flagitious? What has it profited those traders in scandal, and retailers of unrighteousness, whether the poison was *prepared* by “Sporus at Court,” or *vended* by “Jephet from a gaol?” His political character is estimated by his *public conduct*; which, being founded on sound and virtuous principles, can safely challenge the most scrupulous investigation. Conscious uprightness, unswervingly directed to the public good, will induce him, even in *despight of his foes*, to direct his attention to *their* future happiness, and to the glory of his country. I am sensible, that in thus offering an humble tribute to a meritorious *absent citizen* (whose enemies are happy in the *choice of their time*, as well as their *weapons*) I am but an echo for that general approbation, which his professional and political conduct never fails to receive. Had he been present, I should have been silent; and he would have pitied and despised.

One word more with *thee, Inspector*, which shall close my correspondence with thyself and adherents for ever.

Are you not ashamed of the application which you maliciously intended, when you hit on the far-fetched Latin distich, that concludes your amiable performance? Would you purchase a trifling degree of praise for the ingenuity for your *head*, while you discover the native inhumanity of your *heart*?—Inspector!—Inspector!—review thy conduct—*inspect* thy own heart; and then acknowledge,

whether thou “hast not done those things which thou oughtest not to have done.” “True,” methinks I hear you (with fearless face) reply; “but I comfort myself with a scrap of *arch* Latinity—as thus, *Nemo sine crimine vivit.*” Bravo!—but why exult? Alter the *construction*, my *funny fellow*, and try if you can give it a personal nominative;—then apply it—and then to breakfast with what appetite you may.

Thursday.

1. On 5 October the *Daily Advertiser* stated that this essay arrived too late for that issue and will appear the next day.

44. Philopolitics

New York Daily Advertiser, 9 October 1787

Mr. CHILDS, Nothing could more effectually have advanced Colonel Hamilton in the esteem of the public, than the late impotent and scurrilous attacks, which have been levelled against him. What greater satisfaction could they desire, than to see his few, but industrious enemies unable to support a single charge, which their malignity had fabricated? Altho’ few have had a more difficult walk assigned them—although few have been more narrowly watched by persons disposed to torture every expression into a criminal design—his integrity and patriotism have bid defiance to them all. But why enlarge upon a character, not more universally known than respected? Or why advance any other, or more unequivocal test of the falsity of the calumnies alledged against it, than the universal indignation excited by the Inspector, and other pieces from the same quarter? Heretofore, men, high in office, and of whom their fellow-citizens were inclined to think well, when publicly arraigned, have had no tongue or pen, but their own, employed in their defence. Even the authors of such attacks, when known, have been publicly caressed, and their compositions eagerly bought up and admired, while the objects of them, either conscious of guilt, or finding the stream of popular odium too strong to resist, have been compelled, after a dull and languid effort at vindication, to shrink behind a cloud, too gross to be dispelled by many years of dissimulation and hypocrisy. While the feelings of such culprits demand a tear of pity, how envied must be the sensations of that man, who finds an advocate in every citizen? Who spurns, with silent contempt, the rude and unsupported invectives of calumny; yet finds it impossible, however anxious, to impose the same restraint on others, who think it a duty to embrace the occasion of his absence, to pay their tribute of praise to virtues, in which this great and rising empire long have, and will long continue to repose, the highest confidence.

8th Oct. 1787.

45. A Customer

New York Journal, 11 October 1787

MR. GREENLEAF, Several publications have lately appeared in favour of and against a gentleman whose name it is unnecessary to mention. It is not my intention to enlist under the banners of either party; I entertain too high a respect

for his character, to think it can derive any lustre from an anonymous vindication. It has indeed pained me much to see the general and unsupported Insinuations thrown out against it; nor has the indiscriminate applause used in his defence afforded me much greater satisfaction. Both Aristides and Philopolitis, instead of referring to particulars (which would have been no difficult task) were too much dazzled by the splendor of the original, to do justice to the portrait they were drawing; the latter indeed mentions with a degree of triumph, that the Inspector had not been caressed, nor followed with that astonishing success, which had, in some instances, attended writers of that kind—but besides that, this author is unknown; it is very obvious he holds not the pen of a Junius, or a Littlepage, to the latter of whom Philopolitis appears more immediately to allude—it cannot therefore be matter of surprize, that his compositions should sink into oblivion, while the lucubrations of the others have gone through several impressions in Europe and America, and will continue to force admiration, as long as a nervous stile, keen satire, poignant wit, and elegant diction are considered as ornaments in the English language. Instead therefore of drawing conclusions from Premises, so equivocal, would it not give more general satisfaction to lay before the public a connected sketch of the history of a citizen who engrosses so large a portion of their attention? The topic will not be barren, or uninteresting—the abilities he discovered at a remarkable early period in life—the animated support afforded by his pen to the American cause at the dawn of the late contest—the talents he displayed in council, and in the field throughout the war—the dignity and general approbation with which he discharged the duties of the several important stations in which he was placed, both as a citizen and a soldier—the entire confidence placed in him by his country, and her illustrious commander in chief, in times of imminent peril, and the integrity that has since marked his private walk in life, are but few of the many objects that might be expatiated on by an impartial and judicious historian.

October 9, 1787.

46. *New York Journal*, 11 October 1787¹

In CONGRESS, February 21, 1787.

RESOLVED, That in the opinion of Congress it is expedient, that on the second Monday in May next, a Convention of delegates, who shall have been appointed by the several states, be held at Philadelphia for the sole and express purpose of revising the articles of confederation, and reporting to Congress, and the several legislatures, such alterations and provisions therein, as shall, when agreed to in Congress, and confirmed by the states, render the fœderal constitution adequate to the exigencies of government and the preservation of the union.

State of New-York, In Senate, March 6, 1787.

RESOLVED, That the hon. Robert Yates, John Lansing, junior, and Alexander Hamilton, Esquires, are duly nominated and appointed delegates on the part of this state, to meet such delegates as may be appointed on the part of the other states respectively, on the second Monday in May next, at Philadelphia, for

the sole and express purpose of revising the articles of confederation, and reporting to Congress, and the several legislatures, such alterations and provisions therein, as shall, when agreed to in Congress, and confirmed by the several states, render the foederal constitution adequate to the excigencies of government and the preservation of the union.

For the NEW-YORK JOURNAL.

1. Reprinted: New York *Daily Advertiser*, 15 October; *Albany Gazette*, 18 October.

47. New York Journal, 11 October 1787

☞ It was intended that SYDNEY should have had a place in this day's Journal, as likewise INSPECTOR No. 3, and CÆSAR, from Mr. Child's paper of the 1st instant, in reply to CATO, No. 1,—but many PIECES, of the first importance, having intervened, the Editor was reluctantly obliged to postpone the publication of them until next week, together with several ADVERTISEMENTS, &c.

48. Lansingburgh Northern Centinel, 15 October 1787

The Public will please to notice, that the printers, through misinformation (being strangers here when they first established their business) have called the town Lansingborough; but, on considering the records, they find it to be Lansingburgh, by which name they shall in future publish it. They beg the Public will pardon the error, into which they have inattentively been led.

49. New York Packet, 16 October 1787¹

A Few Thoughts by a friend to the UNITED STATES.

Great as the burdens of Britain are, and numerous and heavy as her taxes are, yet there is not the hundredth part of the complaints that there are in America: Herewith a few of them are handed you, these are only part of the whole. Suffice it to say, that Britain's debt is about 250 millions sterling, the interest of which is about ten millions sterling, and that the other expences of government, including the million to the King, the numerous pensioners, &c. amount to near ten millions more, which is about fifty shillings a head, raised upon every individual in Great-Britain. The Americans are too well, and they know it not. A short abstract published in your papers now & then of the British taxes, would convince them how easily they are taxed. The news-papers seem more and more to be filled with the dismal situation of your affairs, and particularly of the weakness and impotency of Congress. It is thought you can never become wealthy and independent, as long as you want manufactures; the produce of land however rich, *is not* able to maintain a numerous body of people without they manufacture some articles, and it will be impossible for you to do so, unless you load the importations from Europe with higher duties. It will be improper to attempt to manufacture in the extent it is carried on in any of the European States; I only mean, that a few of the bulky articles for which the country is most fitted should

be manufactured, & similar importations from Europe loaded with higher duties; it will be some hundred years, before the Americans can ever expect to manufacture in the extent that Britain does at present. In Britain, we expect from the flourishing state of our manufactures, that we will draw most of the money of Europe and America into our Island. If any State in America was able to make some articles, and such as leather and shoes for instance, they ought to increase the duty on that article if imported; their Assembly ought at the same time, to grant a bounty on the exportation of their own manufactures, and a premium also to the person that makes the greatest quantity of them for home consumption. In this manner every article ought to be encouraged.

Edinburgh, July 30, 1787.

1. Reprinted: Fredericktown *Maryland Chronicle*, 31 October; Boston *American Herald*, 5 November.

**50. John Fisher to Enos Hitchcock
New York, 18 October 1787¹**

Reverend Sir,

You will I presume think it something odd that a Stranger should take upon him to commence a correspondence—you may perhaps recollect a person who Drank Tea with you Sometime since in Providence—and also who came in Company with you from New-Port to Providence—a strange introduction!—

I have the honor to enclose you herewith an Oration spoken on the 4th of July last before the Cincinnati of this state by Chancellor Livingston—and a pamphlet just published containing observations on a plan of Government submitted to the Convention by the Honorable Charles Pinckney Deputy from South Carolina to said Convention—If you have Leasure I hope you will peruse them—and I should like to know your opinion concerning them.—

The new Constitution meets considerable opposition *Cato*—*Brutus* and some others are writing against it in this City—I will endeavor to collect the different pieces and transmit them to you

NB. If you think proper to write me direct your letter to be left at the Secretarys office of Congress

1. RC, Miscellaneous Manuscripts, Enos Hitchcock, 1786–1789, Rhode Island Historical Society.

51. New York Daily Advertiser, 18 October 1787¹

GENERAL POST-OFFICE

New-York, October 17th, 1787.

CONTRACTS.

Proposals will be received for the transportation of the mail, on Horseback, from Portland, in the state of Massachusetts, to the city of Philadelphia, for one year, commencing on the first day of January next.

The extent of each contract to be as follows, viz. From Portland aforesaid, to Portsmouth in New-Hampshire; from Portsmouth, by way of Newbury-Port, Ipswich and Salem, to Boston.

From Boston, by way of Worcester and Springfield, to Hartford in Connecticut.

From Hartford, by way of Middletown and New-Haven, to the city of New-York.

From the city of New-York, to Philadelphia.

The following will be considered as indispensable articles of the contracts:

That the mail be conveyed on each route, *three* times per week, from the first day of May to the first day of November; and twice a week from the first day of November, to the first day of May.

That there be stated hours of arrival at, and departure from each Post-Office, and a reasonable time allowed each Post-master for making up a mail to be forwarded; and that, in order to ascertain the times of arrival and departure, each Rider carry a way-bill, to be furnished by the Post-master General.

Bonds to be given, with two sufficient sureties, for the performance of each contract, and the customary oaths to be taken by the contractors, and persons employed under them.

The necessary portmanteaus, and bags for containing the letters, will be furnished at the expence of the United States, and payment made quarterly, the penalties for failures (if any) being first deducted.

Proposals in writing, for the contracts above specified, will be received by the Post-master General, at his office, No. 29, Broadway, New-York, until the 15th day of November next.

By order of the Post-master General,

JAMES BRYSON, Assistant.

** The Printers in the several states are requested to give the above a place in their papers.

1. Also printed in the *New York Journal*, 19 November.

52. *New York Daily Advertiser*, 18 October 1787

** The REGULATOR, No. X. is received.—A FRIEND came too late for this day, but will be attended to.

53. *Inspector III*

New York Journal, 18 October 1787

(Omitted last Week for want of Room.)

What makes you laugh so immoderately, said I to my eldest daughter, Lavinia, who sat at the further end of the room giggling over a scrap of paper, which she held in her hand.

I cannot help it papa, says she, whenever I read this pedantic letter, sent to me this morning, by my coxcomical sweetheart, Oliver Switcher, the school-master. Please to listen to a part of it, and then forbear if you can, with all your gravity.

“*Celestial and most archangelic Fair One,*

“If it were possible, that in benign consideration of the extreme favour, the preternatural ebullition of the sublimest passion that ever invaded mortal heart with its energetic force—were it possible I say, from this or other condescending motives, actuating and influencing the breast of the most refulgent emblem of the spherical luminations, and that she should graciously vouchsafe to admit a comparative nonentity amongst her multiplied vassals—how readily would I encounter the most lethiferous tornadoes, and undergo a quentillian of labours, exceeding, and infinitely surpassing those performed by the justly celebrated, but comparatively languid and inanimate Hercules, for your amiable sake.”

Did you ever in your life papa meet with nonsense to be compared with this?

Yes my dear, replied I, shewing her a letter I had just received, from Don Lingo Sporus Trumpeter; here is a morsel of obumbratory full as laughable as yours.

You know Tom S**t I suppose?

Very well papa, he and Oliver belong to the same club.

And so does Lingo I suppose my dear, said I, for his stile and manner of composition are nearly similar to Tom S**t’s that to prevent mistakes he wisely tells me Tom is out of town.

Don Trumpeter has pitted himself as Tom’s champion, and has availed himself of Tom’s usual method of cloathing ignorance in pomp, and obscuring a plain subject with unintelligible jargon. Thus it is that Tom passes amongst the undescerning for a man of mysterious knowledge and profound research.

“To this invulnerable character (says our bombastic hero) the state and the union at large owe some weighty obligations.”

That is very true cries Lavinia, the state owes him many obligations for discovering that horrid plot of George Steward, which but for Tom S**t would have remained a profound secret to this day; nay, perhaps it would never have been found out at all, had not Tom’s patriotic desire of “advancing the national interest, and throwing light on political controversy,” led him to unfold the whole conspiracy to the public eye.

Dont interrupt me child, said I, for you make me skip, thus he goes on.

“Is it honest to torture his able well intended, and patriotic exertions to subserve the common interest of this young Empire into a disposition hostile to liberty, and promotive of his own personal agrandisement.—Has any act of his military procession or political career been substantiated by credible or avowed testimony as a deviation from the nicest rectitude.”

Papa, says Lavinia, shall I fetch the dictionary?

No my dear it is not worth while, for you would be no gainer were you mistress of all these hard words, which our artest has selected to make his flimsy materials hang together; but to proceed,

“What avail the late Synonimous, and miserable Epedients to violate his fame? what triumph have the libels so plenteously disgorged obtained in the eyes of

the generous and independent part of the community whose object was not less weak than flagitious.—What has it profitted those traders in scandal, and retailers of unrighteousness, whether the poison was prepared by Sporus at court or Jeppet from a jail, while our state empiric, Tom S**t, can send an antidote along with it. I am but the echo of the general approbation of his professional and political conduct; had he been present I should have been silent.”

What a crack'd brain performance this is! exclaimed Lavinia in a burst of laughter, what a pity it is that Tom S**t is out of the way, I really think he would have managed the subject better; but good soul, he is out of town acquiring honourable popularity by his important discoveries!—may hap he is gone to Baltimore, endeavouring to find out those jail Jephets, who wrote the incendiary letters which so terrified all the old women!

My dear, said I, whenever Tom makes a meritorious discovery, I shall be one of the first to applaud him for it.

54. New York Daily Advertiser, 19 October 1787

REMARKS on some late Writings, by a Man of no Party.

When a ship called the *Dread nought*, or the *Invincible*, flies before the enemy, we feel a disposition to ridicule their bombast and magnificent appellations.—When an author takes a signature, he should behave accordingly. Cato should shew a grave, senatorial wisdom, and should behave with all the dignity of the Roman patriot. Cæsar should imitate the magnanimity of his Roman namesake, and should not so soon shew a disposition to *sneak*. The Roman Cæsar in his last moments attentive to his own dignity, covered his face gracefully with his robe. The New-York Cæsar ought to cover his blushing face with a fixed mask, to avoid the jests and squibs of the boys, because he came to the combat with such impetuosity, such majestick vaunts, and with such a menacing gladiatorial deportment, and now, before he is hardly warm in the combat, he deceives the amphitheatre, and cries *enough*. The tables I am afraid will be turned, and Cato, with a bad cause, will drive Cæsar, with a good one, to *Utica*; but I have my doubts if the *gascon* will die like *Cato*.

Cato must undoubtedly be some little State Sovereign, as State Sovereignty seems to be the burden of the song. If government takes a fixed tone, the sons of faction will be fixed in their respective classes of society. Faction and anarchy, in a State, is like the fermentation of liquor, which raises the *lees* to the top of the vessel.

Marcus is so full of his *interest* that I suspect him to be an *usurer*. His pride seems hurt, and his disposition cynical. He would not have found fault, I imagine, with the old *batch*, if a loaf had come to his share.

Philopolitis seems rather disposed to hurt a man *great* in office than to assist Col. H——. The assassination was as dark as his own mysterious one; and, like his own, requires the light of explanation. The wound was like his own, a scratch, but it did not carry the able dissembler, as he calls him, to his bed; nor did he send for the counsel of an eminent and illustrious professor of chemistry to attend the wound. Col. H. like Sylla, ought to bribe such panegyrist to silence.

Aristides does not deserve to be banished by the Athenian shell for his dangerous talents, but he deserves the lilly white Rockaway shell to be thrown at his head for daring to enter the list as a political and literary combatant.

Oct. 17.

55. *New York Daily Advertiser*, 20 October 1787

Continuation of REMARKS on some late WRITINGS. By a Man of no Party.

The language and talents of the *Republican* do not deserve censure; but I feel sorry to see good talents prostituted to base and false adulation. A true Republican should disdain servile flattery, and should dare to tell wholesome truths to the patron who feeds him:—the obligation he nor any other dependent ever felt towards this frugal patron.

I wonder how the printer, if he is delicately nosed, could set his types so often to the obscene word S—t; which, for that reason, I conceive to be no other S—t than his own. Self partiality is so great, that we never are offended with what comes from us.—This printer, though provided with an *Inspector*, imposes many pieces on the public, which do not deserve the brand.

I found it difficult to determine which was the signature of a piece in the *extraordinary Journal*; whether it was Burgh, Sydney, or Montesquieu. It is a *rough-hewn* performance; and he endeavors to raise a flame with a variety of chips. When a profligate quotes the scripture, it hurts its sacred purity; and when an old political dunce quotes Montesquieu, I feel concerned for the fame of that great man.

Brutus may worry his antagonist, as he is *long-breathed*; but there is no immediate alarm from his “*weak efforts*”—to use his own happy and judicious expression.

If *Curtius* does not improve in his next essay, he must retire with Cæsar, and they must consider themselves as discomfited champions; and the austere Cato should not insult them with his triumphant wit, nor should Republican authors punish them with the loss of their literary liberties.

The *Centinel*, as he must be a soldier, deserves correction from Timothy *Tickleback*, for disturbing the garrison with false alarms:—his cowardly imagination represents every tree and bush as an enemy, that will seize the citadel, and put all to the sword.

Oct. 19.

56. *New Hampshire Spy*, 20 October 1787

Extract of a letter from New-York, June 16.

“Our commercial prospects are as dismal as can be, and I do not see any probability of their being better: our independence has completely ruined this once happy and flourishing country; and the necessity of the evil has brought together at Philadelphia, all the wise men on the continent, who are now setting there, in the character of conventioners, in order to remedy the complaint, and form a new system of government: In what shape the bantling will appear, time

only can discover; some speak loudly for Monarchy.—This I am certain, it will be impossible for them to form a government pleasing to every one, and that let it have what shape it will, it will require an army to give it energy. And then what will be the consequence?—O that I could, with comfort to my family, retire from a country which must be miserable for many years; it must be punished for its ingratitude to that happy isle that supported it.”

57. New York Daily Advertiser, 23 October 1787¹

CATO'S SOLILOQUY.

It must be so—Samuel thou reason'st well!
 Else whence this pleasing hope, this fond desire,
 This longing after Offices of State?
 Or whence this secret dread, and inward horror,
 Of falling into nought? Why shrink our Souls,
 And startle at the Federal Government?
 Tis Interest, dear Self-Interest stirs within us,
 And tells us that a Federal Government
 Is bane, is poison to State Demagogues.
 A Federal Government—O dreadful thought!
 Through what variety of untried being,
 Through what new scenes, and changes must we pass?
 The wide, unbounded prospect lies before us;
 But shadows, clouds, and darkness rest upon it.
 State Sovereignty we'll hold. For if there is
 A Power Superior that we must submit to,
 (And that there must be, Reason cries aloud
 Through all the Land) it may be just and virtuous;
 Defeat our views, and make a Nation happy.
 I fear! I fear! This State is not for Cato.
 But time must soon decide—My death and life,^(a)
 My bane and antidote, are both before me:
 This in a moment brings Me to an end;
 And this informs Me I shall still be great,
 My interest well secur'd, I'll smile at those.
 Poor easy Tools, I've dup'd to serve my purpose;
 And mock at all the clamors of good men.
 Patriots may shrink away—Fabius Himself,
 And Franklin dim with age, lament with tears
 Their toils, their cares, their virtues all were vain;
 If I but flourish in the general ruin,
 Unhurt amidst the war of jarring States,
 The wrecks of Property, and crush of Justice.
 What means this heaviness that hangs upon Me?
 This lethargy that creeps through all my senses;
 Nature oppress'd, and harrass'd out with care,

Sinks down to rest. I'll try to favor her,
 That my awaken'd genius may arise
 With force renew'd to invent new fallacies
 To puzzle and deceive—Let fears alarm
 The Patriot's breast, Cato knows none of them.
 Indifferent in his choice, if good or ill
 Beside his country, if he govern still.

New-York, Oct. 20, 1787.

(a) Pointing to the Federal System and State Constitution.

1. Reprinted: *Hudson Weekly Gazette*, 1 November; *Massachusetts Gazette*, 16 November; *Philadelphia Independent Gazetteer*, 29 November; *Lansingburgh Northern Centinel*, 25 December.

58. Lather

New York Daily Advertiser, 24 October 1787

Mr. PRINTER, It is melancholy and afflicting to *all good men* to hear of the number of *important* resignations talked of, should the New Constitution take place. It is to be hoped the City Drum-Major-General, established at Bridewell, and the honorable body of Lamp-Lighters, will not catch the infection, but continue to wield the whip, and shed their oil, boldly and generously, in the City's cause. They ought to reflect, that they are limbs of the *City Sovereignty*, equally independent of this State, and the United States; and, like faithful City Officers, jealously watch against the encroachments of *State Sovereignty*. It would be an excellent check and security against such attempts, should the Corporation form the streets of this City into so many free and independent *Street Sovereignties*, with an Orator-General to each, who should have a handsome salary for alarming *the People*; and should he find *their Liberties endangered*, from any threatening prospect, either of diminution of power, or its entire loss to other great and good political luminaries, who, should they be displaced, "we ne'er shall look upon their like again,"—it should be his business (when he apprehended *such imminent danger to the State*) to run thro' the streets, with *all the good men in it* at his heels; and cry Murder! Fire! Popery! Aristocracy!

I am for checks, Mr. Printer; I say I am for checks; and for fences, and hedges, and ditches, against the Aristocrats; that, if they leaped over one obstacle, they might fall souse into another. Let us have uniformity in our State, and confusion amongst the rest. We are well *situated amongst our neighbours*. Peace at home, and war abroad, was the true policy of Britain, in her better days.

Amongst other establishments, Congress are now making for the Western Territory, I hope they will provide for those who are about to leave us, on account of the new unconstititutional Constitution; and, amongst other offices, create that of *Shaver General*, for some worthy disgusted Patriot. As there is a *little, ambitious Aristocrat*, who has made a confounded noise lately, and *given our side* some very

ugly polts, I hope the *Officer* aforesaid will *officially* introduce himself, and when he has got *the people's grand enemy* fairly by the nose, will dextrously flit his little, accursed weapon, and then push to the woods; or Heaven knows what will in time become of *all the good and wise men of the State!*

59. Poughkeepsie Country Journal, 24 October 1787¹

On Wednesday the 17th inst. being the anniversary of a day ever to be remembered by every patriotic son of America, when our beloved Independence was clothed with additional lustre by the surrender of an army of Britons under the command of General Burgoyne, and the capitulation of another under the command of Lord Cornwallis, a few patriotic sons of Freedom, whose bosoms burned with joy when in the field on that auspicious day, who now experience the deprivation of liberty in the prison of Dutchess County, joined by many of the respectable inhabitants of Poughkeepsie, agreed to celebrate the day (the glory and laurels of which they assisted to reap) by a discharge of thirteen cannon at 11 o'clock A. M. and another at 3 P. M. at the conclusion of which the following toasts were drank.

1. General Washington.
2. General Gates, and the victorious army under his command on the day we now celebrate.
3. The immortal memory of the officers and men who fell in defence of American liberty.
4. The United States in Congress.
5. The Governor and State of New-York.
6. May the patriotic sons of freedom, who now experience our fate in the American prisons be soon released on honorable terms.
7. May the fate of Burgoyne and his army, speedily befall every enemy to America.
8. May the principles of liberty throughout the United States, be stronger cemented than ever.
9. The King and Queen of France.
10. The honorable Members who formed the Fœderal Convention.
11. May the recommendation of the Fœderal Convention, meet with a general approbation throughout the United States.
12. May the citizens of the State of Rhode-Island be convinced of their error, and repent.
13. May the revolution of America be held dear by every son of freedom till time shall be no more.

After which the company retired, having observed the greatest good humor and decency, to their respective habitations.

1. Reprinted: Philadelphia *Independent Gazetteer*, 31 October; *Pennsylvania Packet*, 1 November.

60. New York Daily Advertiser, 25 October 1787

Aha! OLD RUFFY!

What! at your old tricks again! score up *Thirty* instead of *One*, my patriotic PURSE-GRIPPER? Why, man, if the Continental Treasury was a mountain of gold, thou would'st HEW IT to pieces, and fill thy pockets, and load thy canoes with it—a string of them which should reach even from the Over-Slaugh to Albania! I would advise *thy friends* to prevail on the Treasury Board to lodge their cash in the vaults of the Bank, lest the violent itching of thy fingers should *promote* thee, too rapidly, to an *elevated* situation, and thou should “*die in station high exalted.*”

With what excuse wilt thou now, with unblushing front, come forth and vindicate thyself? I will furnish thee with one. Tell the public, that it is true STATE POLICY to enrich *this*, at the expence of *the others*: that enriching *individuals* of the State, is enriching the State: and tell them, that you know of no person more wise, honest, patriotic, and deserving, or less ignorant, conceited, pedantic, narrow-souled, and avaricious, than your worthy self.

Oct. 24.

61. New York Journal, 25 October 1787

☞ Want of room has obliged the Editor to postpone the publication of TIMOLION, &c. until next week.—These necessary omissions, of interesting pieces upon public topics, causes the Editor to regret that he has it not in his power, *at present*, to publish oftener than once a week; he hopes, however, in a few weeks, as it is generally desired by his friends and customers, to alter his present plan of publication, of which suitable notice will be given.

62. Van Tromp

New York Daily Advertiser, 26 October 1787¹

To the ROUGH-HEWER.

In Mr. Childs's Paper of the 23d instant, I perused the Report of the Board of Treasury, to whom was referred your petition, praying a further allowance for your services, as Loan-Officer for the State of New-York; and, by their statement of the matter, your demand appeared to me to be exorbitant, indeed. I, however, appealed to the little Pamphlet which you published in your own vindication, on the 14th of June, 1786; but, I must confess, I found nothing in your defence, to justify a charge of fourteen hundred and twelve pounds, nine shillings, New-York currency (equal to three thousand five hundred and thirty-one specie dollars,) for counting, punching, and packing up, two millions, eight hundred and twenty-five thousand dollars, of the old Continental currency; which service, as it has been performed in this City, by men, as good Patriots as yourself, amounts, not quite to one hundred and eleven specie dollars. If the paper, printing, signing and numbering, of these Bills, cost as much as cancelling them, *at this rate*, it has been an expensive coinage indeed. It also appears, from the Report, that

you were actually employed, about *three years*, in the business of the Loan-Office; for which, you *had already received* six thousand, two hundred and forty-three dollars, specie value. This, Sir, amounts to two thousand and eighty dollars, specie, per annum. In addition to this salary, you were *a Senator* for this State, and never left the spot of Legislation without your money; even, when the army was suffering, the wheat, that was collected for their support, was sold, to pay yourself and associates: But this act I only note, as a sample of the patriotism, and disinterestedness of a State Legislature. In fine, Sir, it appears, that you have a most incomparable conscience, that you have been ever careful to feather well your own nest, and that, in being willing to add a few millions of dollars to the Public Debt, you are a most excellent œconomist in the Public Funds!

Taking up the matter, according to the antiquated mode of transacting business, and the ideas of justice we formerly entertained, in times of greater ignorance, and less refined policy, it must be candidly confessed, you had a right to a reasonable compensation for your trouble, in receiving and paying away the old currency, notwithstanding its depreciation. But, when I compare the extent of your present demand, with your former professions and conduct, I am much surprised indeed. Your constant theme, Sir, has been, saving the Public Purse, and reprobating every public Body, for their profusion in the expenditure of Public money; for giving too large salaries to Public Officers, &c. by which artifice, you have gained some degree of popularity.

But, agreeable to the sentiments you have still professed, on similar occasions, you should reason thus: Should Congress pay me the exorbitant commissions, which I demand, in hard money, it would *open a wide door* for all the Loan-Officers in the United States, for the Commissary and Quarter-Master's Departments, to make similar demands. Now, would not this, my dear Sir, amount to a vast sum of money? It would drain the Public Purse of the last farthing, in which condition it would not be worth contending for. Besides, you know, how much pains you have taken, to keep up the proper distinction, between the Public, itself, and the Public Creditors, as the many thousands, that have been sunk in the hands of the latter, since the late revolution, has been saved to the Public, in this, your very politic mode of proceeding. Therefore, I wish you to realize the principle, if it be a good one; for, whatever sum you sacrifice, as a Public Creditor, you will, undoubtedly, gain, as an individual Member of the Public Body. And, as there is no method, in which the Public Debt can be so easily cancelled, you ought cheerfully to submit to precedents of your own making. It is all for the good of the Public Purse.

If you take your commissions, in old Continental Currency, at par, and pass it at 120 for one, it is no more than you have obliged your honest neighbours to do. How many have been obliged, by laws, framed by yourself, and associates, to give up their hard money bonds, for a depreciated Paper Currency, and have had that very currency reduced, in their hands, by an *ex post facto* Law, to one hundred and twenty for one? With respect to the new Emission Bills, you inform Mr. Hillegas, in a letter, dated on the 15th day of January, 1782, that it passed currently, in Albany, at the rate of five for one. If so, did not every Public Cred-

itor, who received any of the new Emission from you, at that time, for interest, or otherwise, lose four fifths of their just due? Why then should you not be contented with one fifth of what you had been promised for your services? Especially when you know that the breach of public faith has a tendency to destroy public credit; and *public credit* is greatly to be dreaded by a free people; since you tell us, in some of your former political lucubrations, that England has been ruined by supporting her public credit, as it has enabled her to borrow great sums of money, and, thereby, accumulate an enormous debt. Therefore, as the frequent breaches of promises are calculated to destroy public credit, promote profitable speculation, and above all, save the public purse, they certainly should be encouraged, and cheerfully should be submitted to by every good *Antifederalist*.

But if you are not satisfied in the present case, Congress should imitate your own conduct, with respect to the Members of the late army; by passing a solemn act granting you ten thousand acres of the best lands in the Western territory. They should permit you to call it your own for two or three years, till your petulant humors had time to subside. Then they should tell you, that they had not yet purchased this land from the Indians; and, lest you should be so rash as to settle on it, before a purchase could conveniently be made (in which case you might have your own brains knocked out, and also bring the United States into a bloody war with the savages) that, therefore, being moved by the benign principles of humanity and saving policy, they should, by an *ex post facto* law, vacate this grant. This would answer more good political purposes than one: In the first place, it would satisfy you for a while, without squandering public property; and, secondly, it would teach you, that, in a well regulated government, both real and personal property are at all times to be disposed of, at the sovereign will and pleasure of the Supreme Legislature; which is a degree of omnipotence unknown to, and unattempted by, the pigmy Parliament of Great Britain. The advantages that may accrue to the public from such a regulation, must be obvious to a man of your political sagacity. For, while the titles of landed estates may be abrogated by an act of the Legislature, they may, at any time, divide and regulate the landed property, as they please; and, by this means, curb and govern men of over-grown estates and influence. This power has been claimed by both the Roman and Spartan Legislators. You are fond of precedents, and, doubtless, think this to be founded in reason; for, as one Legislature cannot be invested with greater powers than another, whatever one has a right to give, the next or any succeeding Legislature, must have a right to reclaim, and dispose of again at their pleasure. This is what *we, politicians*, term the essence of liberty; for the liberty of the people consists in the liberty, which their representatives assume, of doing whatever they please. The representatives of the people, we all know, are the people themselves; if, therefore, their representatives can do as they please, the people must be free indeed! Certainly a person, whose hands are tied up by any legal restraint, cannot be said to enjoy perfect liberty. Now, our governments are all framed on the principles of perfect liberty; we have fourteen public bodies, empowered to contract debts, and borrow money, on the faith of the public; and yet, they are all at perfect liberty whether they will pay the debts they have contracted, or not; as not one in the whole number can be legally

proceeded against for the recovery of one farthing. Were ever a people in such a happy condition! And yet, we find there are some of such uneasy and turbulent dispositions, as to wish a change in the government of these States. These would even sacrifice the very *name* of *liberty*, to secure the phantom *property*. Such are so stupidly ignorant, as not to perceive that the prosperity and interest of the public, consist in the ruin and impoverishment of the individuals, of which the community is composed. It was this sentiment, so grateful to you and yours, that reduced the continental currency from 40 to 120 for one; that caused the public creditor to receive the new Emission as par, when, by your own acknowledgement, it was passing at five for one. It was this principle that reduced the old loan-office bills of credit to 120 for one; obliging the man who mortgaged his estate for 1000*l.* to bring in 120,000*l.* to redeem it. Now, methinks you should cheerfully two or three thousand pounds to do honor to your principles, and convince your constituents your *sole motive* is to relieve them of their public burdens. What if your family is injured; thousands of the most deserving have been ruined in the same way. While, on the other hand, it will be a clear saving of above one farthing to each taxable Member of the community. And, you know, a farthing saved, is as good as a farthing got.

It is true, indeed, from the stubborn humor of œconomy Congress happen just now to have got into, that, in being obliged to make a virtue of necessity, some will doubt your sincerity. But remember, Sir, that should you make a noise about such trifles as this, you will strengthen that Federal party, who ardently wish for a Government, efficient to compel the payment of just and legal contracts. If this should take place, peace, liberty and independence, will not be worth a rush.—Go on then, Sir, without murmuring, as you have hitherto successfully done, to inflame the populace with jealousy and distrust. Tell them, the President of the United States can, and will, command the Militia of New-Hampshire to fight the Spaniards at New-Orleans; the people of Georgia to drive the British from our Western Posts; and the Militia of Albany to chastise the Prince of Hesse, for aiding Britain in the conquest of America: and thus, while the strength of the militia is broken, having a standing army in reserve, should he happen to be a Mahometan, he will cram the whole Alcoran down our throats—no assurance being given by the New Constitution, but that even Paganism, or no religion at all, may become the established religion of this country; or that we be taxed to death to raise temples or worship to Jupiter Ammon, or made to sacrifice our children to Moloch.

1. On 25 October the *Daily Advertiser* stated that this item would appear “tomorrow.” Reprinted: *Albany Gazette*, 15 November; Lansingburgh *Northern Centinel*, 27 November; *Massachusetts Centinel*, 1 December (last portion of final paragraph only).

63. A Lover of Truth

New York Packet, 30 October 1787¹

Messrs. LOUDON, In your Packet of the 23d of this month, you inform the public from under the *Philadelphia* head, thus, “We hear from Virginia, that on the arrival of Mr. Mason (one of their delegates in Convention) at Alexandria,

he was waited on by the Mayor and Corporation of that town, who told him, they were not come to return him their thanks for his conduct in refusing to sign the Fœderal Constitution; but to express their abhorrence of it, and to advise him to withdraw from that town within an hour, for they could not answer for his personal safety, from an enraged populace, should be exceed that time.”—It is but fair Messrs. Loudon, that you disabuse the public by acquainting them you are now informed, as the writer of this does inform you, that the above *hear-say is not true*. The laws of the country, the decency of the people of Alexandria, and the very great *respectability* of Mr. Mason forbidding such a *foolish outrage* to have been committed. But the fabricators of this falsehood are evidently among the number of those who are for *cramming down the New Constitution by force, fraud and falsehood*. Vainly imagining that the good sense and spirit of the people will be imposed upon by such wicked means. These persons will do well to recollect, that they are not doing much honor to the New Constitution by practices like these. It is the more incumbent on you Mess. Loudon to rectify this abuse, because your yesterday’s publication of the *hear-say* from *Philadelphia*, has been the cause of your brother Printer (in his Independent Journal of this day) making the same falsehood the *hear-say* of *New-York* from Virginia—he ought to have stated, that New-York heard it *not* from Virginia, but from *Philadelphia*.

October 24, 1787.

1. On 7 November this item was summarized in two Philadelphia newspapers: the *Freeman’s Journal* and the *Evening Chronicle*. The summary was reprinted in the *Boston American Herald*, 26 November, and *State Gazette of South Carolina*, 20 December.

64. Poughkeepsie Country Journal, 31 October 1787

The Constitutional Society of Dutchess County, meets at the house of Roger Sutherland’s, in Washington precinct, on the second Tuesday in November next, at ten o’clock in the forenoon. By order of the President,

JABEZ FLINT, Sec’ry.

65. New York Journal, 1 November 1787

POET’S CORNER.

“The world is naturally averse,
To all the truth it sees or hears;
But swallows nonsense and a lie,
With greediness and gluttony.”

HUDIBRASS.

66. Massachusetts Worcester Magazine, 1 November 1787¹

We hear that the Baptist Societies in general, in the eastern, as well as the middle States, are much in favour of the new Federal Constitution.

1. Reprinted: *New Hampshire Spy*, 6 November; *Maryland Journal*, 20 November.

**67. Pieter Johann Van Berckel to the States General
New York, 3 November 1787 (excerpt)¹**

. . . The Fœderalists cannot boast of Success in the States of New York and Rhode Island either. . . .

1. RC (Tr), Staten-Generaal Liassen, No. 7130, America, 1782–1788, Dispatch No. [10], pp. 250–53, Algemeen Rijksarchief, The Hague, The Netherlands.

68. New York Daily Advertiser, 3 November 1787

** The *Reformer*, *Eboracus*, *Æneas*, *Palpable Truths*, and several other political and entertaining pieces omitted this day, will appear as soon as possible.

** See SUPPLEMENT.

69. Connecticut Norwich Packet, 8 November 1787

Extract of a letter from a gentleman in New-York, to his friend in Connecticut.

“I have time to say but little in answer to your request, respecting sentiments relative to the new constitution,—but I am happy to inform you, that many among us who have opposed a Continental impost from motives too selfish, (among whom I was foolish enough to be one) now appear to alter their sentiments. We think we may not object to our new Constitution on account of its allowing the Congress the power to lay duties, and hinder particular states from laying duties on exports from one state to another. Tho’ we are sensible, that the harbour of New-York is so commodiously situated for trade, that we might reap great profits from duties on articles which are exported from hence into other states. But we may not think too much of our own particular interest to the injury of the whole.—At the same time I must confess myself at last convinced by these patriots in this state who maintain; that the port of New-York, having been saved by the united arms of all the states, ought to be free for all. If it be yet objected that this state has assisted in defending the other states, still we ought not to forget that we have been overpaid by a very large share of confiscated property taken from the common enemy, by the help of other states which was absolutely needed. Add to this the large tracts of new lands guaranteed to us and those will perhaps be found in these ways more than enough to pay our part of the national debt. Nor may it be objected, that our port is guaranteed to us as well as our lands, because, land and water with their appendages have always been considered in different points of view, agreeably to these principles which we maintained while connected with Britain. But leaving all those argu-

ments for the present; there is an old maxim in politicks often quoted by the great Mr. Addison, from Hesiod a Grecian statesman. 'Half is more than all.' This maxim I think it concerns all Americans to remember at this day. For if we contend for every advantage which each particular state may claim, we shall never adopt a Constitution, but be plunged into confusion and anarchy to the loss of vastly more than we are contending for. I shall close with adding that my greatest fears at present are, that the selfish and designing will soon make new objections to the Constitution, perhaps professing they are jealous for our liberties; tho' if the truth might appear it is more than possible it would be seen, that they have their selfish designs or wish for no federal Constitution.["]

70. A Customer

Lansingburgh Northern Centinel, 13 November 1787¹

Messrs. CLAXTON & BABCOCK, The author of the following address, by appealing to the reason and judgment of his fellow-citizens on the constitution proposed by the late Convention, evinces that he has a just sense of the respect and decorum with which those ought to be addressed, in whom the sovereignty of the state of right resides, to wit—the aggregate body of the people:—This specimen affords room to believe that his future numbers will be written in the spirit of cool discussion, and will be directed to the judgment, and not the passions, of men: If so, I shall hope to see them conveyed, through the channel of your useful Centinel, to the people in this part of the state. Yours, &c.

1. This item is a preface to the *Northern Centinel's* reprinting of the first number of *The Federalist* from the *New York Independent Journal*, 27 October (CC:201).

71. New York Journal, 15 November 1787

To the SUBSCRIBERS of the
New-York Journal, and Weekly Register,
AND THE
RESPECTABLE PUBLIC.

The Proprietor and Editor of the above-mentioned JOURNAL, hereunto subscribed, prompted by the solicitations of a respectable number of his present subscribers—and by means of the generous patronage of a few valued friends, and the public, for which he requests their acceptance of unfeigned thanks—begs leave to communicate to them his intentions of printing and publishing a DAILY PAPER, under the title of—The NEW-YORK JOURNAL, and DAILY PATRIOTIC REGISTER.

By this publication it is not intended, that the idea of the WEEKLY REGISTER shall be extinct, therefore, the present subscribers, in general, will please to take particular notice, that the THURSDAY's paper will contain just such kind of matter as usual, in which the choicest pieces, and the fewest advertisements, will be inserted—and, that their papers, will of consequence be delivered or sent on, as heretofore, until they severally payoff their arrearages, and stop it, or order

their respective names entered upon this new subscription paper.—The Thursday's paper, alone, will be TWO DOLLARS per annum, as usual.

The particular inducements to this arduous task need not all be enumerated—That the present is a most important CRISIS of the national affairs of this country, must be evident even to the least thoughtful, but more especially so to those who nobly conceive—that the dearly purchased freedom and independence of America is a sacred deposit, to be nurtured, supported, and transmitted, unimpaired, by the present possessors, to millions yet unborn. To this end it is necessary, that the body of the people (who must ever, in free countries, be supposed the supporters of freedom) be well informed of the nature of any government that may be proposed for their adoption; therefore, free discussions on that momentous topic, as well as interesting intelligence from the several quarters of the world, are necessary to be universally disseminated.

By printing only one paper per week, as heretofore, one half of the essays communicated, and all that might be copied from other papers, were, in general, unavoidably neglected: in a Daily paper there will be room for all that may be worthy insertion. In this paper, FREE and IMPARTIAL discussion, that is, decent and well written ESSAYS, on either side of any important public topic, SHALL FIND FREE ACCESS.

As the principal support of a Daily paper is derived from Advertisements, Gentlemen in the mercantile line, and all others who occasionally Advertise, are earnestly requested to prefer this new undertaken, which favor shall be greatly acknowledged by the strictest attention being paid to correctness and propriety. Advertisements shall be inserted as reasonably as by any printer in the city.

The great expence with which a Daily paper will be attended, at first, is too well known to require any apology for the REQUISITION, on subscribing, expressed in the Conditions, or for the warmth of the solicitations, for the continuation of PUBLIC PATRONAGE, with which the following PROPOSALS are introduced by the public's greatly obliged,

And very humbly Servant,

THOMAS GREENLEAF.

72. New York Journal, 15 November 1787

PROPOSALS,
For altering
The New-York Journal, and Weekly Register,
Into the
New-York Journal, and Daily Patriotic Register.
CONDITIONS.

I. The New-York Journal and Daily Patriotic Register shall be printed on the same paper, form, and type, as the Weekly Register, and shall contain the same quantity of matter.

II. The price, per Annum, will be SIX DOLLARS, one quarter part of which to be paid on subscribing, viz. One dollar and an half: after which quarterly payments to be punctually observed.

III. No subscriber is to discontinue his subscription on any other condition than the payment of arrearage subscription money, and that at the expiration of a quarter.

IV. The Daily Patriotic Register shall be delivered to the subscribers in the city every morning, and sent (as may be ordered) to those out of the city, with the greatest punctuality, they paying the expence of carriage.

Printing-Office, November 15.

The Editor returns sincere thanks to those gentlemen who have already enabled him to form a very respectable list of subscribers to his paper, upon the plan of the above proposals. His subscriptions having been rapid, has determined him to commence the New-York Journal, and Daily Patriotic Register, on Monday next, notwithstanding his disappointment of a supply of types, which he expected last week. These, however, in a few weeks will decorate this paper.— From the favourable disposition of the public, already evinced, he flatters himself, that before Monday next, he shall receive generous ADVERTISING patronage—that his subscribers in general, will also patronize this daily paper—and, that he shall have the pleasing satisfaction of presenting to the public, a publication that will both serve and be a CREDIT to his country, not withholding a few of its GILDED rays from the public's ever devoted humble servant,

THE PRINTER.

**73. The New York Journal Advertises the Sale of the
Letters from the Federal Farmer to the Republican
15 November 1787–18 February 1788, 12 March 1789**

New York Journal, 15 November 1787

To be sold at this Printing-Office,

OBSERVATIONS, leading to a fair Examination of the Government proposed by the late CONVENTION, and to several essential and necessary Alterations in it.

New York Journal, 5 December 1787

For SALE, at this OFFICE,

OBSERVATIONS, leading to a fair Examination of the Government proposed by the late CONVENTION, and to several essential and necessary Alterations.

New York Journal, 22 December 1787

Just PUBLISHED, and to be SOLD, at

T. GREENLEAF's

PRINTING-OFFICE, No. 25. *Water-street.*

OBSERVATIONS, leading to a fair Examination of the Government proposed by the late CONVENTION, and to several essential and necessary Alterations.

New York Journal, 5 January 1788

A FEW copies of that much celebrated work of the late Rev. Dr. CHATNCY, of Boston, "On the Fall, and its consequences," to be had at this *Printing-Office*.

ALSO

OBSERVATIONS, leading to a fair Examination of the Government proposed by the late CONVENTION, and to several essential and necessary Alterations.

New York Journal, 11 January 1788

To be SOLD, at this OFFICE,
HUTCHINS'S and the UNITED STATES'
ALMANACK,
For the Year of our Lord, 1788

ALSO,

OBSERVATIONS, leading to a fair Examination of the Government proposed by the late CONVENTION, and to several, essential and necessary Alterations.

New York Journal, 25 January 1788

OBSERVATIONS, leading to a fair Examination of the Government proposed by the late CONVENTION, and to several, essential and necessary Alterations.

New York Journal, 26 January 1788

To be sold at this Office,

OBSERVATIONS, leading to a fair Examination of the Government proposed by the late CONVENTION, and to several essential and necessary Alterations.¹

New York Journal, 12 March 1789

TO BE SOLD,
At THOMAS GREENLEAF'S
PRINTING-OFFICE,

The following

AMERICAN, POLITICAL PUBLICATIONS:

A Defence of the *Constitutions of the United States*.—By John Adams, Part I.

The *Constitution of the United States*.

The several *Constitutions of the Thirteen United States*, bound in a handsome Pocket Volume.

The *Genuine Information*, delivered to the Legislature of the State of Maryland, relative to the Proceedings of the General Convention, at Philadelphia.—By Luther Martin.

The *Plebeian*, on Amendments to the New Constitution.

Letters from the *Federal Farmer* to the *Republican*, Number I. and II. leading to a fair Examination of the System of Government, proposed by the late Convention, and to several essential and necessary Alterations in it.

Observations on the New-Constitution, and on the Federal and State Conventions.—By a Columbian Patriot. *Sic. gloria Americana.*

—OTHER BOOKS.—

Five *Dissertations* on the *Scripture* Account of the Fall, and its Consequences.—By the late Rev. Dr. Chauncy, of Boston, upon the *Universal Plan.*

A Compendium of Christian Theology.—By J. F. Osterwald, a celebrated Divine of Switzerland.

Conductor Generalis, or the Office, Duty, and Authority of Justices of the Peace, &c.

Watt's *Psalms.*

The *Heidelbergh* and the *Mothers Catechisms*, single, or by the Dozen.

Baron de Steuben's Regulations for the *Order and Discipline* of the *Troops* of the *United States.* Published by Order of Congress. This valuable Book may be had either bound, or stitched in blue; either single, by the Dozen, or in Sheets; in either of the last Cases the usual Allowances will be made.

A Description of Rifled Ordnance.

The *American Calculator, or Counting-House Companion, &c.* single, or by the Dozen.

The *Ready Reckoner, or Trader's Useful Assistant, &c.*

—ALSO—

Ordinary Ink-holders, Sealing-Wax, &c.

The NEW-YORK JOURNAL, printed, at *Two Dollars* per Annum.—*Printing* of all kinds, performed on short Notice, and with Accuracy, at this *Office.*

1. One of the above advertisements or that which appeared in the 8 November 1787 issue of the *New York Journal* (RCS:N.Y., 203) appeared more than fifty times through 18 February 1788.

74. Newport Herald, 15 November 1787¹

We are informed by a gentleman of respectability from the State of New-Jersey.—that the proposed constitution of the United States meets with almost an unanimous approbation there.—And by letters from a gentleman of the utmost integrity at Albany, to his friend here,—he advises that in a tour of business thro' that state—he scarcely met with a man opposed to this constitution, and that there will be a very large majority for its immediate adoption.

1. Reprinted: *The New Hampshire Gazette*, 28 November.

75. Albany Gazette, 17 November 1787 (Supplement)¹

Albany, November 14, 1787.

MR. PRINTER, The apparent zeal and unremitting assiduity, with which a Report of the Board of Treasury, on the subject of Mr. Yates's accounts as loan-officer, has for sometime past been circulated, evince a determined intention to impress on the public, an opinion, that Mr. Yates has been induced, by an avaricious disposition, to make a demand of a compensation, unjust and exorbitant in its nature, and totally unwarranted by precedent, for services greatly inadequate to entitle him to the admission of his claim: and the complexion of the report (especially when we consider it as the official act of a body of men, entrusted with the most important concerns of the United States, and who, it ought to be presumed, from their situation, had the best means of information, and were actuated by pure and impartial motives) was well calculated to make impressions to Mr. Yates's prejudice.

Thus circumstanced, Mr. Yates would deem himself inexcusable, if he should be so inattentive to the sentiments of his fellow citizens, as silently to submit to attempts, evidently designed to deprive him of their confidence; which, he trusts, a simple State of facts, in his power fully to establish, will effectually defeat.— That those facts were not sooner communicated to the public, is solely attributable to the absence of Mr. Abraham G. Lansing, who had an active agency in the settlement of Mr. Yates's accounts.

Mr. Yates, however, begs leave, previous to his stating the facts alluded to, to observe, that there were only two modes of effecting an adjustment of his accounts—The one to give him a reasonable compensation for his services, independent of any rule previously prescribed—another, to adhere to the acts already passed respecting his commissions.

That Mr. Yates has repeatedly and importunately applied to the Board of Treasury and the late Financier, to ascertain what they supposed a reasonable compensation for his services, he need only appeal to their files to prove—that those applications have been ineffectual none of them will deny.

On the establishment of the loan-office, in the year 1776, a commission of one-eighth per cent. was allowed to the loan-officers on all monies brought into their offices—an allowance of two per cent. was afterwards made on the amount of monies paid for interest. These were considered as, and expressed to be, in lieu of all claims and demands for transacting the business of that office.

Mr. Yates entered on the duties of his office the second November, 1779, and continued to discharge them, with the aid of one clerk, during almost the whole of that period, and for more than half that time with two, till his dismissal from office, on the first day of May, 1786; in consequence of his refusing (in which he had persisted since the sixth of January preceding) to take the oath of secrecy required of him. And as it is unquestionable that, from the acts of Congress, he could only charge a commission of one eighth per cent. in one instance, and two per cent. in another: his compensation must, therefore, on an account stated

conformable to those acts, be exactly proportionate to the services rendered, on the principles allowed by Congress to be reasonable.—Hence it becomes immaterial to enquire, what proportion of time he has been employed in the business of his office.

But from the report, it might perhaps be inferred, That Mr. Yates had actually received 6243 dollars, specie value—The whole of this sum, however, was retained by Mr. Yates in the bills of the New Emission, or received by him in Certificates; and so early as the month of November, 1781, it appears, from a letter by him addressed to the Financier, that 964 dollars, of the bills of the new emission, had been appropriated by Mr. Yates. It rests in the recollection of every citizen, that those bills depreciated as soon as they were put in circulation, and that soon after they passed currently at four and five for one. Those appropriations of a depreciated currency, it will be recollected, were made about a period, when the other civil officers of Congress received part of their salaries, and the whole of the allowance to their clerks, in specie.

The claim of the commission of one-eight per cent. for counting, punching and packing the bills of the old emissions, is next to be considered.—From the spirited animadversions of the Board of Treasury, on that subject, it would appear, that they resent the charge in Mr. Yates's account for those services, as founded on principles, repugnant to common justice—productive of great embarrassments, and without the shadow of propriety. How strange, then, must it appear, to be informed, that it was inserted in the account, by an agent of Mr. Yates, by the advice and express approbation of one of the Board. The fact will be stated—the public will draw its inferences.—

After Mr. Yates's dismissal from office, he appointed Mr. Abraham G. Lansing, his agent, to obtain a final settlement and adjustment of his accounts.—For that purpose Mr. Lansing left Albany and repaired to New-York, and remained there more than seven weeks, to complete that business. When Mr. Lansing left Albany, as Mr. Yates had not been favored with any directions for the settlement of his accounts, he had not stated in them, the sum he expected as an allowance for counting, punching and packing the bills of the old, and signing, numbering and marking "*interest paid one year,*" on the bills of the new emission; but confided in Mr. Lansing to apply to the officers of the treasury department, for instructions on the subject, and to insert a charge for those services in his accounts, after acquiring the necessary information. Mr. Lansing informed Mr. Yates, upon his return, that this accounts had been reported upon by Major Barber, and that the whole of the commissions were finally adjusted by him, excepting the commissions for the services which were omitted to be charged, previous to Mr. Lansing's departure from Albany, which Major Barber conceived himself unauthorized to determine upon—That Mr. Lansing had applied to Walter Livingston, Esq. one of the Commissioners of the Board of Treasury, for instructions on the subject; and that Mr. Livingston informed him, that the only proper mode of bringing the business in an official train, was to draw an account, founded on the existing resolutions of Congress—observing that if those were not adhered to, he knew of no other criterion—that the matter might then be submitted to the consideration of Congress ultimately to determine upon; and that Congress would allow such compensation as was adequate

to the service—That conformable to this opinion, Mr. Lansing drew a draft of the account, and at the request of Mr. Livingston, who informed him he was then going to the Board of Treasury, left it with him—That the next day Mr. Lansing waited upon Mr. Livingston, received the account from him, with renewed sentiments of approbation, and copied it—Mr. Lansing delivered it to Mr. Yates on his return to Albany.

That Mr. Yates considered this only as a regular introduction of the business, appears from his petition presented to Congress, on that subject, on the 20th day of February, previous to the report of the Board of Treasury (which is dated on the 14th day of March, not on the 9th of October last) which petition concludes with the following prayer: “Your petitioner, therefore, prays, that Congress will be pleased to take his case into their serious consideration, and grant him such allowance or compensation for the services aforesaid, as they shall deem him in justice entitled to.”

Mr. Yates cannot, however, dismiss this business without observing, that the compensation he has received, even if paid in specie, and if he had not been longer employed than the Board of Treasury have stated, will very little exceed the salary, the allowances for office rent, stationary, the wages of clerks, and other charges, which, in consequence of an act of the Board of Treasury, has been for sometime enjoyed by Mr. Yates’s successor in office.

That Mr. Yates has been an attentive and faithful officer, he has ample materials to prove: That such was the sense of his conduct entertained by Major Barber, the Commissioner who settled his accounts, appears from the report of that gentleman, which he concludes: “I have found the strictest uprightness throughout these transactions; the greatest accuracy in the accounts, and have received the most cheerful aid in the examination of them.”

1. Reprinted: *Albany Journal*, 22 November; *New York Daily Advertiser*, 26 November; *Poughkeepsie Country Journal*, 28 November.

76. *New York Journal*, 19 November 1787

☞ The Printer and Editor of this paper, was not, as has been insinuated, actuated by any other than laudable motives in undertaking the arduous task of a Daily Paper. Should the NATURAL consequences, resulting from this enterprise, in any wise reduce the hitherto advantages of his Brother Types, there exists no criminality: that no DISHONORABLE means shall be adopted, those who *doubt* may calmly assure themselves.—He is likewise desirous, that no idea of unfriendliness might be harboured by them.—The public support he has an indubitable right to ASK, which, in his proposals he has done, and here reiterates with ardency—being ever willing, according to the *Gunter* ratio of his merits, as a *Printer*, to stand or fall.

77. Josiah Throop to James Beckman Johnstown, N.Y., 20 November 1787 (excerpt)¹

... I have Spent Several hours with Colo. Ebenezer Allen who lives on the Grand Isle, in conversing about your claim to long Island, He appears candid—

he Says the people at present would do nothing in the Matter—but both himself and every person of knowledge in the affair knows that their Claims to the property of the land is very Equivocal, as they never purchased the land of that Island of any Government or power; and only hold their Claims by their Jurisdiction, which is as it is; he is of Oppinion you will hold it, but as the whole foederal government is now on an uncertain footing he advises to Say but little till we See what another year may produce; he however offered to go with me and talk with the Inhabitants but the Season was far advanced and I did not go. . . .

1. RC, Beekman Collection, NHi.

78. *New York Journal*, 20 November 1787

☞ Our friendly correspondent, “LITTLE BOB,” shall be gratified to-morrow.—It was the intention of the Editor this day to have inserted the piece referred to in Little Bob’s jog by the elbow, viz. “PLAIN TRUTH,” in reply to “AN OFFICER of the late CONTINENTAL ARMY,” inserted yesterday, but CENTINEL, No. I. and II. having had a place, and III. received, he conceives it more in order to postpone PLAIN TRUTH until to-morrow, when it shall have a hearing.

79. *New York Journal*, 26 November 1787

A correspondent begs leave to quere,—by extending the political ideas of the super-excellence of the future government of America, contrasted with that of Holland, to a more distant period than the above writer,—whether emigrations to this country will be so very rapid, if, *per-chance*, those who have a desire to emigrate should be of opinion, that magnifie porticoes to usurpation, which may prove fatal inlets to the [sable clime?] of slavery, are more numerous in the new Fœderal Constitution, than ever they were in the Constitutions of the United Provinces.

80. *New York Journal*, 26 November 1787

MR. GREENLEAF, The following SONG, composed and sung on the ever-memorable 26th of November, 1783 (when the conquered Britons evacuated this City, and thereby finally left the THIRTEEN UNITED STATES, in Possession of that Freedom, Prosperity, and INDEPENDENCE, for which they had so long, and so successfully contended (having never been in Print, and I having accidentally seen the Original, from which I have taken this Copy)—I have sent it you, that you may (*s’il tous plait*) insert it. CIVIS.

They come!—they come!—the heroes come,
 With sounding fife, with thund’ring drum
 Their ranks advance in bright array,
 The heroes of AMERICA.
 He comes!—’tis mighty WASHINGTON

(Words fail to tell all he has done)
 Our hero, guardian, father, friend!
 His Fame can never, never end.
 He comes!—he comes!—our CLINTON comes,
 Justice her ancient seat resumes:
 From shore to shore let shouts resound,
 For peace comes with freedom crow[n]’d.
 She comes!—th’ angelic virgin, PEACE,
 And bids stern WAR his horrors cease;
 Oh! blooming virgin with us stay,
 And bless, oh! bless AMERICA.
 Since freedom has our efforts crown’d,
 Let flowing bumpers pass around,
 The toast is “*Freedom’s fav’rite Son,*
Health, Peace, and Joy to WASHINGTON.”

New-York, Nov. 23, 1787.

81. Alexander Coventry Diary

Hudson, N.Y., 27 November 1787 (excerpts)¹

... We rode together about 2 1/2 miles, when we arrived at Brown’s tavern, and the parties concerned in the suit were assembled; there were arbitor’s parties and their lawyers with the evidence.

... after his evidence, the court adjourned. Mr. Dubois treated us with some wine, and while drinking it, hearing the sound of a song in the adjoining room, we followed ye customs of ye country, and walked in. A Mr. Demun from Esopus, was singing a Bagatelle; first he sang it in Dutch, and then he sang it in English. Then Peter Yates sang what is called “The Song”. Though his voice is not the very best, he sang scientifically; then he sang “The Debtor”, also several Dutch songs; some in particular which flowed very smoothly. After this, they got to disputing, about the new Constitution. All except DeMun, seemed to have a slight opinion of it; but DeMun, though he had never read it, thought it must be good, because Gen. Washington had a hand in it, for he thought Washington infallible. They joked DeMun a considerable, particularly Peter Yates, who, rising from his chair, addressed DeMun in very emphatic tones, with the Scriptural phrase, “Blessed are they which believe, yet have not seen”. DeMun answered him by intimating that if he was enjoying £500 a year salary as Chief Justice of the State, or if any of his kin were, he would not be in favor of a change in the government.

(The present company were among the chief men in the State. Lansing was afterwards Chancellor of State &c. I believe they assisted at the burning of the New Constitution at Gallows Hill, Albany, but after it was adopted at the State convention, they reconciled themselves by pleading some frivolous amendments, as a “bill of rights”, &c., perfectly nugatory, and superogatory in a constitution adopted by freemen and equals.)

1. Typescript, NHi.

82. New York Journal, 27 November 1787

☞ A DISSERTATION on the FREEDOM of the PRESS.—BRUTUS, No. V.—and No. V and VI of CINCINNATUS, are received, and shall be attended to as soon as possible.

83. New York Daily Advertiser, 28 November 1787

TO CORRESPONDENTS.

‡ AMERICANUS, No. IV. is received—No. III, will appear on Friday.—PUBLIUS, No. XII, XIII, & XIV, is received—No. XII & XIII, to-morrow.—RODERICK RAZOR, and a MARTINET, are received, and will appear as soon as possible.

84. Albany Gazette, 29 November 1787

MR. PRINTER, *Please to publish the following Extract of a Letter from a Gentleman in New-York, to his Friend in this City.*

“Mr. Yates’ publication of the 14th inst. has reached this city. As an exculpatory address, it is a most ridiculous performance; but truly contemptible as it is: yet, those weak minds, who think assertion to be demonstration, may conceive that he has justified himself—and that was probably his view in the publication; whilst men of moderate discernment; will be led to conclude, that so miserable an apology, in a matter so deeply affecting REPUTATION, must proceed from a want of better weapons to defend with, or a total disregard of character.—I am informed, animadversions are preparing, and will be extended to matter, which Mr. Yates may have fondly believed would have remained unnoticed.”

**85. Constable, Rucker & Company to John Gray Blount and Thomas Blount
New York, 30 November 1787 (excerpt)¹**

For want of any thing worthy of communicating since receipt of your favour 23d July it has remained unacknowledged—The whole of the Tobaccos shipped from N. Carolina have arrived safe, a considerable part which went to Europe remains unsold as the Farmers Genl. decline purchasing even at 30#—being the last price at which they bought—this you will readily perceive will eventuate a loss; so that you were fortunate in not having made the Shipment which you proposed—Tobacco is at present in demand here 5d a 7d is given for it as in quality—Our Advices from Cork of the 14 Ult. speak in the most confident terms [of wars] taking place shou’d it actually happen it can not fail to benefit this Country—the new Constitution goes heavily in our State—the Mercantile Interest is strongly for it, but the party in power will use every exertion to oppose it so that the Event with us is very doubtful. . . .

1. RC, John Gray Blount Papers, Duke University.

86. John Jay to John Vaughan
New York, 1 December 1787 (excerpts)¹

I thank you for your obliging Letter of the 24th. Ult., inclosing a Paragraph respecting me in Mr Oswalds Paper of the same Date—You have my authority to deny the change of Sentiments it imputes to me, & to declare that in my opinion, it is adviseable for the People of america to adopt the Constitution proposed by the late Convention—If you should think it expedient to publish this Letter, I have no Objections to its being done. . . .

Your Letter found me much indisposed—I am so still—but the Doctr. tells me the violence of my Complaint is broken, and as my Feelings accord with his opinion, I hope by Degrees to regain the Blessings of Health—

1. RC, Madeira-Vaughan Collection, American Philosophical Society.

87. A Jack-Plane
Lansingburgh Northern Centinel, 4 December 1787

MESSRS. PRINTERS, It was with equal surprise and contempt, I read, in your last Centinel, a piece without a signature directed to you, and dated Albany, November 14, 1787; apparently intended to gloss over crimes, and continue an abusive imposition on the public.

By some it is called the defence of the *Rough Hewer*, relative to the enormous charges of that pretended friend of the people against the public, as lately reported by the honorable board of treasury: But I cannot call it such for two reasons—first, because it does not by any means appear to me to amount to any thing like a defence of that gentleman's selfish conduct; and secondly, had it been intended as an exculpation from the cause of that just odium, which at present casts a dark shade on his character as a public officer, he would most certainly have avowed the piece with the addition of his name. It is evident to me that Mr. *Roughfee's* conviction on this occasion, ought to and will keep him silent, as an investigation of his conduct will continue to lessen the number of his friends and supporters, heretofore gained by his sly insinuating address, his loud clamours in favor of economy and *easing the burthens of the people*; but happy for us, happy for *the people*, they now begin to view his conduct in its proper light; they behold him divested of that false cloak of patriotism, under which he has so long deceived and mislead them. And it is ardently to be wished, that they will convert discoveries of this kind to their own best advantage, and not intrust their dearest rights to pretenders to patriotism, who, to fill their own coffers, would drain the purses of their constituents even to the last farthing.

In the piece alluded to, published in your last Centinel, the public are charged with zealously, "and with unremitting assiduity," circulating the report of the board of treasury on Mr. *Roughfee's* claims. I would ask the author how long since it is, and by what means, the people have been deprived of the right of examining the conduct of their public servants; and I anxiously hope the day is far distant, when we shall not be allowed the privilege of discussing the conduct of

those intrusted with our most important concerns, and approbate or reprobate their actions as we shall judge best accords with justice. To be deprived of this privilege would reduce us to slavery with a vengeance, and would be a situation better calculated for the meridian of Constantinople, than that of free and independant North-America.

Have not the citizens a right to believe the report of the board of treasury to be just and true: what motives could influence them to make a false report on the conduct of Mr. *Roughfee*? The several members of that honorable board are from different states, and a majority of them, I believe, totally unconnected with the *Rough Hewer* or his friends; and from their general and established good characters, there is no room to doubt but that they, in their report on the matter in question, have done no more than their duty as servants of the public and citizens of the union required of them. And that the demands upon the public reported upon is exorbitant and unjust, I believe will fully appear to every uninterested person.

We are told in this flimsy defence (if it may be called a defence) that *Roughfee*'s claim to 3531 dollars specie value, is founded on certain resolves of Congress: See the author's own words, "On the establishment of a loan-office in the year 1776, a commission of one-eighth per cent. was allowed to the loan-officers on all monies brought into their offices. An allowance of two per cent. was afterwards made on the amount of monies paid for interest. These were considered as, and *expressed to be* in lieu of all claims and demands for transacting the business of that office." Let the author read this, and let him, if not too hardened, blush at the apparent imposition avarice would have made on the people, were not some of their servants more anxious to preserve their interest, and honest enough to expose those who would squander the wealth of the state to satisfy their own, never to be satiated, desires, to heap up riches to themselves, even at the expence of the liberties, happiness, prosperity and welfare, of their country. Yes, my countrymen, there are still among us those, who will closely watch, and certainly communicate to the public ear, the conduct of every smooth, plausible, pretending patriot, who shall be caught in doing any thing inconsistent with the general good and welfare of the state.

In another instance, the author says (speaking of Mr. *Roughfee*) "He could only charge a commission of 1-8th per cent. in one instance and two per cent. in another," yet we are told how long he employed one clerk, and how long two. What is that to the public? what have they to do with his expences in the execution of his office, when, agreeable to the resolves of Congress, his pay is fully pointed out for himself and all possible charges.

I would ask, what resolve of Congress led Mr. *Roughfee* to make the exorbitant demand on the public of 3531 dollars, of specie value, for "counting, punching, and packing two million eight hundred and twenty five thousand dollars, in bills of the old emission," for which "last service" it appears the charge was made, "being a commission of one-eighth per cent. in specie, on the amount of the old continental emissions;" when, as a late author has observed, the same service was performed in New-York for one hundred and eleven dollars.

The public in general know that the old continental money at this day, and for a long time past has not been worth more than from 150 to 230 for one (at

which last exchange it has lately been purchased) if therefore Mr. *Roughfee* values it as equal to real cash, let him be paid in it, if not, let him be paid one-eighth per cent. on its real value in specie; this would be just. I think it would be extraordinary indeed, that the public should pay him more for destroying the bills than they are worth.

We are also told that the *Rough Hower* retained in his hands a sum of the new emission of continental currency as part of the pay for his services, and that he received the remainder in certificates, and that soon after the new money was put in circulation it depreciated; but at how early a period he made use of the money retained by him, and whether it had depreciated or not, we are not told. But this much we know, that there were very few who possessed money that did not lose by depreciation. Is he alone to be made whole, while his neighbours suffer, or receive a compensation at the expence of his fellow citizens? It would be strange should it take place, yet it is by no means extraordinary, that he should desire it. Such is his wish to SERVE THE PEOPLE! such is his anxiety to "SAVE THE PUBLIC PURSE"!!!

I would ask our late loan-officer, in what manner he paid the interest on, or principal of the continental money brought into his office on loan? Did he pay it in specie, or its value, on the nominal sum loaned? Doubtless he will answer no; that he paid it on the sum the several loans amounted to in specie value, agreeable to the scale of depreciation, which was very great. In many instances the honest people, who loaned to the public their little all, earned by long hard labour and industry, have been obliged, to accept from the loan-office, one-fortieth part for the full value of the interest due them, and in many cases much less. If the property of the honest citizens was considered as worth only one dollar for the forty loaned, or even less; if one hundred continental dollars (which were once at par with, and, by many, received as gold and silver) were in reality of no more value than one specie dollar, how can Mr. *Ruffee*, with any colour of propriety, ask one-eighth per cent. specie, on the old depreciated continental currency: He should in equity ask, and be paid, his just dues, agreeable to the resolves of Congress. But he will please to notice, that resolves of that honorable body, of a later date and equal validity with those on which he founds his claim, declare that one hundred of the old continental dollars is far, very far, from being equal to that sum in specie; consequently the value, and not the nominal sum, was what he ought in justice to have founded his claim upon. When he refers to resolves of Congress, he should not with a partial eye consider one or two only, but all that affects his public transactions. Yet it seems his disinterestedness and anxiety to PROMOTE THE WELFARE OF THE PEOPLE have led him to notice those only which would most contribute to his own interest.

The *Rough Hower* will please to remember, that the late continental army (who encountered such various dangers, and suffered innumerable hardships, scarcely paralleled in history, either ancient or modern) received a part of their pay in the new emission of continental money, and the final settlement of their pay in certificates, suffering a much greater depreciation: What they received in this emission had suffered as much, or a greater depreciation, than it had when he retained in his hands a sum of it as a part of his pay; and yet, I believe, no person

ever heard him express the least regret at their being obliged to accept a part, in lieu of the whole of their hard earned wages: But from his low attempts to injure the characters and reputations of the several members of the late patriotic army among their fellow citizens, shortly after the close of the late war, in his publication at that period, under his *hackneyed signature*, they could not expect more friendly conduct from him.

It is said, that the *Rough Hewer* had inserted in his account against the public, the heavy charge in question, by direction of Mr. Livingston, (one of the board of treasury) but that by no means justifies the charge, as Mr. Livingston is but an individual member; and it appears further, that he desired *Roughfee's* agent to found the charge on the "*existing resolutions of Congress*"—how far the charges are founded on those resolutions, I have before noticed, and submit their propriety to the public.

That Mr. Livingston might, in a cursory view of the charge, approbate it, if not improbable; but on a full examination the honorable board of treasury reprobate it as unjust and extravagant, and have reported on the subject to Congress, who, I dare say, will do justice to the *Rough Hewer* and the public.

As to the observation on the subject of what the present loan-officer receives, for *himself*, office rent, stationary, clerks and other charges, it has nothing to do with the matter in question, and could be mentioned only with the *old view* of misguiding the people.

It is observed that Major Barber, the continental commissioner, approved the *Rough-Hewer's* conduct while in office, and that his accounts appeared upright, &c. throughout his transactions.

That they appeared so I doubt not; but it is owned in the intended defence, that the heavy charge of 3531 dollars specie was not then made, and that Major Barber did not conceive himself authorised to determine what sum ought to be allowed for the service alluded to.

It appears extraordinary that a man of business, long filling important public offices, should not be able to defend his conduct, owing to the absence of one particular man; we must either support that he has but one friend, or that he is unacquainted with his own business and transactions, or what his agents do in his name or for him;—to me it looks dangerous to trust public business in the hands of men who leave their most important concerns to others, and know not what is done in the departments the public entrust to their care.

It further appears by the late publication, so often noticed, that there was an intention of imposing on the minds' of the people an opinion to the injury of *Roughfee's* character; let the public examine well every part of his conduct, and judge of him as justice may determine. And it is said that the report of the honorable board tended to injure his reputation. Read the author's own words. "(Especially when we consider it as the official act of a body of men entrusted with the most important concerns of the United States, and who, it ought to be presumed, from their situation, had the best means of information, and were actuated by pure and impartial motives) was well calculated to make impressions to Mr. *****'s prejudice." The truth of this is admitted; their situation, means

of information, characters, and the office they fill, give them an opportunity of learning facts, to the citizens in general unknown; and, fortunately for us, the gentlemen who compose this board, have honesty and honor enough to *publish them*, and thereby give the citizens an opportunity of judging of the merits of those to whom they entrust their all. Let us then, my fellow citizens, wait the issue of this event, watch well our public servants, and expose and dismiss from our service those who, to agrandize themselves, would strip us of our just rights and privileges, under the mask of studying our welfare and happiness, by pretended endeavours to lessen our taxes, reduce the salaries of our public officers, and make us a happy and prosperous, as well as a *free people*. And *Roughfee* will please to notice, that in future his *rough hewing*, as occasion may require, to make matters appear more fit for the public eye, will still be taken *off* by

A JACK-PLANE.

Lansingburgh, Dec. 1, 1787.

88. Lansingburgh Northern Centinel, 4 December 1787

The Rough-Hewer's Song.

Ye sons of Freedom hear my jays,
 To you the muse her tribute pays;
 For you the father of his land
 Exerts his voice and *saving* hand;
 (His voice, which oft his worth has told,
 His hand expert to finger gold—
 That voice which through assemblies rung,
 And warbled nonsense o'er this tongue—
 The hand that in th'embattled plain
 Has many a vallient *white oak* slain—
 The voice that bellow'd loud and hoarse,
 "Oh save, my friends, the public purse"—
 The hand that practis'd all it heard,
 And thus an ample booty shar'd.)
 Prostrate yourselves with awe profound,
 And you shall hear a mighty sound:
 What tho' I have been instrumental
 In scalping all the continental,
 I for each scalp have had a fee
 Appears by board of treasury;
 Yet dollars I've receiv'd but score
 Twice eighty-eight and some thing more,
 Scarce half the worth of what I pack'd,
 Although 'tis known 'twas done exact:
 From whence 'tis plain to understand
 I still deserve a tract of land,
 Laid in a square a thousand miles,

Or even all the western wilds,
 As they are useless to New-York,
 Who live by trade, and not by work:
 'Tis true there's some who growl and say,
 I've had near forty times my pay;
 I may indeed, and if 'tis so
 My services still greater show,
 As demonstrated by Rouseau. }
 For science is a wicked thing,
 Of riches known the vile offspring:
 Then who e'er takes away your cash,
 Your goods and other paltry trash,
 Regards you even as his own,
 And renders services unknown.
 Vice follows only art and wealth,
 But poverty preserves the health;
 E'en view old Sparta, she you'll find
 Was only great when poor and blind;
 The fame's by every age confest,
 And I have done for you my best.
 Full many ways, unknown before,
 I took to keep you blind and poor;
 Your money oft depreciated,
 For which a scale was shortly stated.
 Some tender acts from me took rise,
 Which doubtless stop'd a world of vice
 O Vulcan, how much cash was lost,
 One pound paid ten including cost;
 Then many needless lengthy laws
 Were pass'd to help the losing cause;
 I had my pay as I deserv'd,
 And would had all the army starv'd;
 The more I took, the less remain'd.
 Thus many ample stores were drain'd.
 All these, my virtuous acts, if known,
 Would nearly raise me to a THRONE;
 But many things I have in view
 (That far surpasses these) to do;
 Therefore, ye mild, ye grovelling brothers,
 As in the past assist in others;
 I want both pension, land and place
 To settle firmly all my race.
 If faults appear I'll shift the pack

On him who has a broader back;
 These things will look quite undesigning,
 And seem a regular beginning—
 These things retain with awe profound,
 Lest I should *hew* you to the ground.

89. New York Journal, 5 December 1787

MR. GREENLEAF, What in nature, observes a correspondent, is more despicable than a FOP.—The Fop, says a modern poet, most resembles the GAY MUSHROOM;—as,

From his own dunghill lately sprung,
 So boxom, debonair, and young;
 Yet on his brow sits empty scorn,—
 “He hates mechanics, meanly born.”
 Stranger to merit—genius—sense—
 He owes his rise to impudence,
 With strutting self-importance fraught,
 Free—from each particle of thought;
 He’ll not debase himself to think,—
 “’Tis too damn’d low,”—but he will drink.
 From his own lips his praises flow,
 With—“Damme! I did so and so!—
 I’ve e’en in paths of honour trod;
 I’d sooner go to hell!—by God!—
 Than lose my honour!”—yet his genius
 Consists in blasphemy and meanness;
 In what true honour interdicts,
 And in diverting little tricks.
 He’ll, all at once, start from his chair,
 Twirl his whip and sing an air,
 Dance, to shew his grace and shape,
 Brisk and sprightly as an—Ape.
 To the glass he often goes,
 There adjusts his stock and clothes,
 Meets his image with a glance,
 Of the sweetest complaisance.
 He’s first,—and oft the only one,—
 To laugh at his own jest or pun.
 Suppose it is wond’rous witty,
 But men of sense will—smile and pity.
 Such is the hero of my poem,
 Readers—you must surely know him.

90. A Fœderalist**New York Journal, 6 December 1787**

I am told, Mr. Greenleaf, that you are partial in your politics, but find you are not; at this I grieve; for, as no printer in the state, but yourself, admit of any of those pieces which are imbeciliously stiled *ANTIFEDERAL*, I think it but just you should confine your paper altogether to them, otherwise there can be no equa-
poise: where there is no opposition there can be no argument.

I am your's, &c.

Wednesday, December 5, 1787.

91. A Friend**New York Journal, 6 December 1787**

FRIEND GREENLEAF, I am a subscriber of thine, and read with pleasure, thy paper every morning; and, seeing pieces on both sides on the great subject of the Fœderal Constitution, I was lead to reflect upon the propriety of thy being called an Anti-Fœderalist! Thou hast, in my opinion, a just idea of the freedom of the press: it is true, thou givest the preference to thy original correspondents, which I affirm to be right, but thou givest freely on both sides, and adherest to thy promise of *FREE DISCUSSION*; therefore I condemn those who censure thee, and shall ever wish thee success in thy New-York Journal, and Daily Patriotic Register.

New-York, Dec. 5, 1787.

92. John Stevens, Jr., to John Stevens, Sr.**Hoboken, N.J., 9 December 1787 (excerpt)¹**

. . . I sent Col. Cox a Phamphlet written by a Jersey Farmer, please to read it and let me know how you like it. The Constitution must either be wholly received or wholly rejected. It is in vain to expect that any kind of federal government can ever take place, if the State Conventions are to make amendments. . . .

1. RC, Stevens Family Papers, Stevens Institute of Technology, Hoboken, N.J.

93. New York Daily Advertiser, 10 December 1787

Mr. Childs, If you approve of the following Cross-Readings, and think they will do to publish in the Daily Advertiser, please insert them, and oblige your's,
A NEWS-MONGER.

Our new Constitution being highly approved of—
The liberty and happiness of the people thus secured

The Theatre, 'tis said, will shortly be opened—
Where youth will be educated at a low price.

Several felons lately broke gaol and escaped—
Being Representatives from Rhode-Island we hear

The Dancing Assembly is now opened—
 On account of the present scarcity of cash.

Cato is omitted for want of room—
 Antifederalists will clamor in vain

Died, after a long and severe illness—
 The opposers of an excellent Government

Found, last Monday, ten o'clock—
 Several counterfeit bills 'tis reported

Married, on Sunday evening—
 The United States, it is much to be hoped

The property of persons fortunate in trade—
 To be sold by public auction.

For account of the Under-writers, this day—
 Old State Constitutions, says an observer

Magistrates should be vigilant to the *last*—
 And administer justice without *measure*.

Vegetable vest patterns of the newest taste—
 An encouragement to British manufactures

Frying-pan buttons are vastly elegant—
 Americans prefer every thing that is European.

94. New York Packet, 11 December 1787¹

BY HIS EXCELLENCY

GEORGE CLINTON, *Esquire, Governor of the State of New-York, General and Commander in Chief of all the Militia, and Admiral of the Navy thereof.*

A PROCLAMATION.

Whereas, pursuant to a law of this State, the Legislature are to meet at Poughkeepsie, in Dutchess County, on the *first Tuesday in January next*: I have therefore thought fit, by these presents, to proclaim the same, that all persons concerned may be apprized thereof, and govern themselves accordingly.

Given under my hand and the privy seal, at the city of New-York, this third day of December, in the twelfth year of the Independence of the said State, 1787.

GEO. CLINTON.

1. The proclamation also appeared in the *New York Journal*, 11 December; *New York Independent Journal*, 12 December; *New York Journal*, 1 January 1788; and in four out-of-state newspapers by 9 January: N.J. (1), Pa. (1), Md. (1), S.C. (1).

95. New York Journal, 13 December 1787

The most favorite topics of the week have been—a French and English war—the Holland troubles—and the proposed Fœderal Constitution.—The former of these remains yet upon the list of probabilities; the accounts of the latter amount to a certainty of the surrender of Amsterdam by the Patriots; the several modes on which the constitution will finally be received by the several states, can be known only through the reports of the state conventions, which, from time to time, shall be faithfully deposited in the New-York Journal, and Weekly Register.

96. New York Packet, 14 December 1787¹

Now in the press, and will with all possible expedition
be published in one volume, Octavo,
Debates of the Convention
OF THE
STATE of PENNSYLVANIA,
On the Constitution proposed for the government of
the United States of America, accurately taken in
Short Hand,
By THOMAS LLOYD.

The price of this work cannot be accurately ascertained, because the quantity will depend altogether upon the arguments used by the Honorable Members of that body—but it is intended to be at the rate of one dollar per 100 pages. Subscriptions are received by the Printers.

** Several of the editor's friends having supposed a pamphlet printed by Thomas Bradford, entitled "The Substance of a Speech delivered by James Wilson, Esq. &c." was written by him, he conceives himself under the necessity of counteracting any impression such an opinion may have made upon the public, by assuring them he was not the writer, but pledges himself to give that address in the forementioned volume, without mutilation or misrepresentation.

December 3, 1787.

1. The advertisement was repeated in the *Packet* on 18 December 1787 and 1 January 1788.

**97. Hugh Hughes's Draft of "Countryman" IV
That Appeared in the New York Journal, 15 December 1787¹**

◆ To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>

1. MS, Hughes Papers, DLC.

98. Lansingburgh Northern Centinel, 18 December 1787

To the Author of the Parody of the News-Monger's Song, inserted in No. 28 of the Northern Centinel.

Rhymer scrawl on—set all your scandal free,
 'Tis sport to *you*—'tis no offence to me—
 With servile caution copy line by line,
 Perchance your works may live if link'd to mine.
 Conscious of worth, secure of nobler state,
 We smile to see the brute aproximate;
 Hence that delight with which we use to trace
 Man's uglier semblance in a *Monkie's* face.
 Hence puppies, apes and paroquets are priz'd,
 Hence fools can sport with monarchs unchastis'd.
 Then scribler scrawl, enjoy thy growling fun,
 Tag rhyme to rhyme and echo pun to pun—
 Thus in thy own obscurity immur'd,
 Alike from censure as from praise secur'd,
 Thy apish muse in Grub-street notes shall bray,
 And reign the *Bavus*^(a) of a fleeting day.

(a) *Bavus* was an obscured Roman poetaster, only known by a line of Virgil, marking him for a Blockhead—“*Qui non odit Bavum amat Maevium*”—The dunces of every age are undoubtedly under singular obligations to those writers upon whom they have fastened themselves like vermin, for handing their names down to posterity. *Zuilius* is only known for his carping at Homer; and the names of a *Bavus* and *Mavius* had never reached us but for the line of Virgil above recited. Pope's *Dunciad* has also preserved the name of many a blockhead from oblivion.—The author of the trifling News-Monger's Song regrets that it is not in his power to give this immortality to his Parodist, who appears to be wanting in none of the *Duncial* qualifications: He must therefore take his leave of him in the words of the poet.

—“*Si quid mea carmina possint,
 Nulla dies unquam vos memori eximet oevo.* [”]

VIRG.

99. Lansingburgh Northern Centinel, 18 December 1787¹

The last Words and Dying Speech of the celebrated Rough-Hewer.

Good folks, I earnestly beseech,
 Attend to this my Dying Speech;
 To my last words a kind ear lend,
 And hear me *once* the *truth* defend:
 The truth I say—and can you doubt
 I'll now prevent its coming out?
 Now, when like some ungodly fellows,
 Whom justice raises to the gallows;

Their necks encircled with the halter,
 And nought appears their fate to alter?
 To gain, at last, your kind compassion,
 Fall on their knees and make consession:
Now when so plainly I discover,
 That all my grov'ling tricks are over;
 That my old *patriotic* cloak,
 So threadbare's grown, 'tis but a joke;
 So thin, in spite of all my arts,
 'Twill no more hide my *secret parts!*—
Now can you think I'll not confess,
 All the whole truth, b't it more or less?
 I surely will, and, undesembling,
 Own all my crimes with fear and trembling;
 And since I own them, beg that by land
 You'll not transport me to R. Island,
 But in your mercy hear me thro' or
 I'll ne'er again be your Rough-Hewer.
 Rough hew'd I have, I need not tell,
 And strove to do the business well—
 Held forth that wise men would undo ye,
 Run you in debt, then dun, then sue ye;
 Haul you to jail, and what is worse,
 First steal your pow'r, and then your purse;
 And having both within their compass,
 Would prove you frantic or *non compos*;
 Not fit your own affairs to manage,
 And keep you always in your nonage;
 And when themselves they'd got in play,
 Your *honest debts* would strive to pay,
 And lead you down a pretty dance,
 By settling all accounts with France,
 And by rewarding well your army,
 Who, whilst they're poor can never harm ye—
 (What tho' they fought and spilt their blood,
 And by their prowess did you good;
 Gain'd you your idol INDEPENDENCE,
 And all your enemies did send hence—
 Yet when the work was fairly done,
 And all your dangers dead and gone,
 No more these bloody sons of war,
 To keep you safe you'd reason for;
 Then what necessity, I wonder,
 To *pay* them for it was you under?)
 No, no, said I, keep close your purse,
 And never heed a soldier's curse;

And then, if France should make a stir,
 Britain will help you manage her;
 In your own hands keep purse and pow'r,
 And then your freedom you'll secure.

Thus have I argued, thus exclaim'd,
 And all your wisest counsellors blam'd;
 Some blockheads call'd, and others villains,
 Who sought to robb you of your shillings,
 And by pretending so much zeal,
 For you and for the public weal,
 Hop'd that I'd make you all so jealous,
 Like knaves or fools you'd use those fellows.

And when, by my great pains and toil,
 The pot political 'gan boil,
 I ween'd (as what of scum and scursis
 At such a time floats on the surface)
 That I, and every other tory
 Again might see a dawn of glory;
 Rise unto pow'r, conduct the mob,
 And all your public treasures robb;
 Take care our own nests well to feather,
 Then leave you all to make fair weather.

But farewell now, such hopes mischievous,
 Such wickedness, alas, must leave us;
 I see *my* downfall fast approaches;
Van Trump has got me in his clutches;
One trump too high he holds for me,
 I cannot stand 'gainst *honesty*—
Jack-Plane, too, fast as I can score,
 Dubbs off, and smooths me o'er and o'er,
 And holds me up so fair to view,
 I cannot longer lie *perdue*.

Where now are all my darling schemes?
 Vanish'd, alas, like old maids dreams!
 No more your paper Roughee punches,
 Nor packs it up in solid bunches,—
 Then takes it *all* as proper wages,
 to pay his own and office charges—
 For, spite of all my toil in hewing,
 Your glory rapidly is breweing;
 The dreadful period fast comes on
 which bears all opposition down;
 Union exalts you to the skies,
 And all my hopes of greatness dies.

The following are the Particulars of the Death and Interment of the late ROUGH HEWER.

His exit from the stage of public life was sudden, and by some unexpected; he had long been gambling with the public's treasure; and, unfortunately for him (though happy for the community) a heavy *Trump* was played against him, which gave so great a wound to his existence, that his friends despaired of his recovery, and believing himself near the end of his career, he began writing the foregoing Speech and Confession. While employed in this laudable business, he very unexpectedly received a severe *cut* from a *Plane*, which reduced him to a very low and feeble state, in which languishing situation, he (by the ship news from Philadelphia) learnt the unfortunate fate of a ship on the coast, in which he was *deeply concerned*; this additional *stroke* gave him so great a shock, that he expired in a few minutes, which left him only time to exclaim—*Oh! Avarice—Oh! Deceit!—Oh! Ambition—*how long have you deceived me, and to what an untimely and inglorious end have you brought me?—He then fell into a seemingly agitated slumber, which lasted a few moments—when, suddenly starting up, he exclaimed—*Oh!—my God have mercy on me—and Oh!—my injured—much injured country, forgive the crimes I have so perseveringly, with open eyes, committed against you, and was still premeditating against your interest, liberties and welfare—*He seemed anxious to say more, but his tongue faltered,—his breath failed, and he DIED, on the 11th day of December, 1787.—His body was entombed the day following, with great pomp, in the vault of his *tribe*, at the back side of the yard of Oblivion.

Order of the Procession.
The Reverend Mr. Hypocrite.

Doctor Gilded Pill.

Doctor Insinuation.

Pall-bearers.

Pall-bearers.

Mr. Anarchy,

Mr. Peculation,

Mr. Crafty,

Mr. Falshood,

Mr. Willful,

Mr. Wronghead

Mr. Plausible,

Mr. Graball.



Chief Mourners.

Mr. Avarice. Mr. Discord.

Assistant Mourners.

Mr. Peculation. Mr. Miser.

A numerous concourse of Antifederalists, Extortioners, pretended patriots, Deceivers, Enemies to Justice and good Government, with the whole Train of Peculating gentry, (who have made so free with the *public purse*, while endeavouring to make the country believe they were saving it) followed the mourners after the herse, in procession, two and two—All in sable dress, with sorrowful countenances, mourning the loss of their First Leader, most steady Friend, and constant Advocate—The fight was grand—'twas noble, and gave real pleasure to all honest men, and every firm friend to order and good government.—*Thus ended the nest of Mischief, and thus was blown up the Mine of Deception.*—

HUZZA—HUZZA—HUZZA.

*An ELEGY on the Death of the ROUGH-HEWER:**Supposed to be written by his good Friend,*

ANARCHY.

What's this I hear! can it be true, or
 Do folks belie the great Rough-Hewer?
 Dead! do they say! How, where, and when?
 What pow'r could kill that wond'rous man?
 Since he, alas! is dead and gone,
 ORDER will shake my very throne—
 CONCORD will lift her sceptre high,
 UNION my shatter'd pow'r defy,
 And all my horrid projects die. }
 I'm at my wit's end where to find }
 Another helpmate to my mind; }
 For not his compeer's left behind. }
 So deep my cause he had at heart,
 So fly, so cunning was his art—
 So ready always at my pleasure,
 That I could often take my leisure,
 And leave my business to his care,
 Safe as tho' I myself was there.
 Witness how great has been his toil,
 UNION's firm advocates to foil;
 Witness th' unwearied pains he's taken,
 And often risk'd his very bacon,
 To assist in all my weighty councils,
 And to his countrymen announce ills;
 To scatter round his large supplies
 Of scare-crow politics and lies,
 And by his stratagems and clamours,
 Create confusion 'mongst the farmers.

AV'RICE for his best friend he'd chosen,
 And DISCORD was his first blood cousin;
 Weep, weep my friends, your patron's head
 Lies low and mingles with the dead—
 Nor shall it ever more arise,
 To joy our hearts and glad our eyes.

⟨*The following EPITAPH is inscribed on the
 Tomb of the Rough-Hewer.*

HERE has at last the so long fam'd Rough-Hewer
 For his ambition found a sovereign cure—
 Beneath this pile the subtil arguer lies,
 And worms with antifederal food supplies—
 Sparingly feed ye worms, lest that same spirit,
 Which, when alive, this body did inherit,
 Thro'out your peaceful tribes confusion spread,
 And make you curse the hour you found it dead.⟩

1. The text in angle brackets was reprinted in the *Massachusetts Centinel*, 16 January 1788, with the following preface: "Mr. Yates, of New-York, a writer under the signature of *Rough-Hewer*, having lately been silenced by some other writers in that city, occasioned the following witty epitaph."

100. Poughkeepsie Country Journal, 19 December 1787

To the Printer.

With the Federal Farmer's leave and with the leave all those polity-errant writers who create monsters on purpose to destroy them, I beg a nook in your paper for the insertion of a piece which I think contains many beauties. Little effusions of this kind, may tend to smooth the public brow, perhaps too much contracted from the austerities of politics.

Pat. O'Balaghan.

A SONNET,

translated from the original Irish.

It was on the white hawthorn, on the brow of the valley, I saw the ring of day first break.

The soft, the young, the gay, delightful morning, kissed the crimson off the rose, mixed it with her smiles, and laughed the season on us.

Rise, my Evelina, soul that informs my heart; do thou smile too, more lovely than the morning in her blushes, more modest than the rifled lilly, when weeping in her dews. Pride of the western shore, the sky's blue face, when cleared by dancing sunbeams, looks not serener, than thy countenance. The richness of the wild honey is on thy lip, and thy breath exhales sweets like the apple trees in bloom.

Black are thy locks, my Evelina, and polished as the raven's smooth pinions. The swan's silver plumage is not fairer than thy neck, and the witch of love heaves all her enchantments from thy bosom. Rise, my Evelina, the sprightly beam of

the sun descends to kiss thee, and the heath reserves its bloom to greet thee with its odour.

Thy lover will pick thee strawberries from the lofty crag, and rob the hazle of its yellow nuts. My berries shall be red as thy lips, and my nuts ripe and milky as the love-begotten fluid in the bridal bosom.

Queen of the chearful smile, shall I not meet thee in the moss grown cave, and contemplate thy beauties in the wood of Miscother? How long wilt thou leave me Evelina, mournful as the lone son of the rock, telling thy beauties to the passing gale, and pouring out my complaints to the grey stone in the valley?

And didst thou bend to hear my song, O virgin daughter of a meek-eye'd mother?

Thou comest, Evelina, like summer to the children of frost, and welcome are thy steps to my view as the harbinger of light to the eye of darkness!

101. Poughkeepsie Country Journal, 19 December 1787

The members of the Constitutional Society of Dutchess County, are requested to meet at the house of Edmund Perlee on the second Tuesday of January next, at ten o'clock in the forenoon.

By order of the President, JABEZ FLINT, Sec'ry.

102. Pennsylvania Packet, 19 December 1787¹

Extract of a letter from a Gentleman of extensive information and influence in the State of New-York, Dec. 9.

"Upon the whole, I think we have a *good* majority thus far in this state in favor of the new constitution."

1. Reprinted: *New Hampshire Spy*, 4 January 1788.

103. New York Daily Advertiser, 20 December 1787

As Brutus and Cato *appear* to be most profoundly skilled in the science of Government, in its most remote and possible operations, a PUBLIC CREDITOR is induced to request their candid answers to the following queries, viz.

1. Can any man or number of men delegate powers to others, with which they are not inherently or constitutionally invested themselves?

2. Is there any thing in the laws of nature, or in our Constitution that empowers one citizen to deprive another of his *property*, without his consent?

3. If there is not, how can it be presumed that they have a right to delegate powers to others to do it, as their representatives?

4. Can the Legislature be invested with Constitutional powers to repeal a law upon which the title of landed property depends, and thereby defeat and destroy the claim of the proprietor, and his heirs forever?

5. If they cannot, is not the assumption of such powers a dangerous precedent^(a)?

6. Does it not reduce the present freeholders in the State to the condition of tenants at will; provided the Legislature is not invested with partial powers to divest one class of citizens of their property, without their consent, and have not the same powers over all the property in the State?

7. Is it to be either presumed or tacitly understood, when we chuse members to represent us in the Legislature of the State, that we design or intend to invest them with powers to divest individuals of their property, real and personal, without their consent?

8. If it be determined that they are invested with such powers, should we not alter our mode of conveyance, at least the habendum, and say, to have and to hold during the good will and pleasure of the high and omnipotent Lords by whom we are governed, and whose mandates we are implicitly bound to obey in all things?

9. Is it consistent with our ideas of common justice or legislative right, to compel a person, by law, to give up a bond conditioned for the payment of 120 Spanish dollars, for 120 dollars in a depreciated paper currency, and then to declare, by an *ex post facto* law, that these 120 paper dollars should be worth but one Spanish dollar?

10. What were the plausible reasons assigned, by the nominal guardians of our rights, for depreciating the old Loan-office bills of credit, from par, to 120 for one—thereby sinking, in the hands of the citizens of this State, one hundred and nineteen thousand pounds?

11. Is it treating the best whigs in this State well, to take the Continental currency out of their hands at 120 for one, and pass it to Congress at forty for one, thereby sinking two-thirds of the real value of all the old currency in the State, in the hands of individuals?

12. Government is, or ought to be, instituted for the good of the people; but how can the interest of the people be promoted by such a wanton partial destruction of private property, which must end in the ruin of thousands of the best friends of their country?

13. Can any thing have a greater tendency to debauch the morals of a people, than a multiplicity of *ex post facto* laws, made on purpose to evade the fulfilment of prior contracts?

14. Is it possible for a people to be contented and happy, while every thing on which their prosperity depends is in such a precarious situation—when their sole chance for subsistence depends on the fulfilment of public engagements—and yet certain bankruptcy is the consequence of confiding in public promises?

15. Is it probable that a people will retain and enjoy their liberties long, under any form of Government, after they are divested of their property?

16. Has the Legislature any power whatever over private property, except to raise a revenue by taxation or other equitable mode of assessment for the support of Government, and to discharge the public engagements necessarily contracted for the defence of the State, or general good of the whole body politic?

17. When the seat of Government is removed to Albany, and all the lands in the northern and western parts of the State are monopolized by a few specula-

tors, and settled with vassals from Ireland, Germany, &c. what will be the probable effect of such an arrangement on civil Liberty?

(a) See the 36th clause of an act passed on the 5th day of May, 1786, for confiscating the lands belonging to the members of the late army.

**104. Murray & Samson to Levi Hollingsworth
New York, 21 December 1787 (excerpt)¹**

. . . We are pleased to find that your State has adopted the New Constitution, we wish we could tell you that ours had, however altho we have a very strong party that is opposed to it; yet we are not without hopes of carrying the point so as to have a majority in favor of the change. . . .

1. RC, Hollingsworth Papers, PHi.

105. New York Morning Post, 21 December 1787

ORIGINAL POETRY.

(The publication of the following, must, at this day, be timely—It is so essential that we now UNITE, to save our Country, as it once was to resort TO ARMS to defend it.)

The FIERY DEVIL.

A NEW SONG.

In Imitation of "THE WATR'Y GOD."

The Stygian God, great Belzebub,
With *Bute* and *North*, his fav'rite club,
In Pandæmonian met:
Where they with all th' infernal host,
Who heavenly Liberty had lost,
Foam'd with invid'ous sweat.

The dreary cavern sang applause—
Obedience to old Beliel's laws,
Combin'd the Dæmons stood;
And all the fierce Cerberean breed,
Who Hell in hideous forms exceed,
Howl'd for *Columbia's* blood.

Then rose the huge Tartarean God,
Bespoke attention with a nod—
And thus tremend'ous spake;
Which burst Hell's curtains all in twain,
Rais'd billows on the burning main,
And made the conclave shake;

“Hail!—damn’d associates—let us all
 “Conspire to plan *Columbia’s* fall—
 “See, here’s the wily *Bute*:
 “Vulcan shall in his bellowing forge,
 “Cast thunder-bolts for minion George,
 “Who waits to execute.”

The grisly fiends all grin’d assent—
Bute on the dark embassy went
 To Albion’s bloody court—
 There to confer with British power,
 And, at the hell appointed hour,
 Return and make report.

George to the Scot, attention paid,
 Thank’d the kind Monarch for his aid,
 In this laborious task:
 Inform’d the internal Prince of Night,
 His craft and his Satannic might,
 In what he first should ask.

This done—the red sulphurean breed,
 Were all commission’d for the deed,
 With Britain’s myrmydons:—
 Who brib’d the hoary God of sea,
 Their thund’ring armour to convey,
 And crush *Columbia’s* sons—

Next an enormous fleet appears,
 The effect of Albion’s golden years,
 Full fraught with missile death
 To storm her fair mercantile towns,
 Spread dreadful carnage without bounds,
 By soul *Pandora’s* breath:

But he who rides upon the spheres,
 On bright, angelic Charioteers,
 Spake with the Thunder’s voice—
 “*Columbia!*—hear th’ Almighty Lord,
 “Maintain your birthrights—grasp the sword,
 “Make this your happy choice.”

The awful mandate spread alarms,
 An universal shout—*To arms!*
 Was heard from sea to sea,
 We’ll front the haughty tyrant foe,
 And let all Hell and Albion know,
 Columbia will be free.

**106. George Clinton to De Witt Clinton
Little Britain, N.Y., 22 December 1787 (excerpts)¹**

Dear Brother

. . . Your Countrymans Letters are very good and I think better adapted to the understanding of the Common People than any piece in the newspapers. They seem to be wrote in imitation of Col. D—r. . . .

1. RC, De Witt Clinton Papers, Special Collections, Columbia University Library.

107. New York Journal, 22 December 1787

☞ Several ERRORS escaped the corrector's eye in yesterday's Register, the night being far advanced before it went to press, which our readers will please to excuse; among them the following being notorious, they are desired to correct, viz. Last line but one in the 1st column of the 2d page, for WINTER, read WRITER; in the 9th line of the 2d column, 1st page, for absorption of MIND, read absorption of MUD; in the 9th line from the bottom of the 2d column of the 3d page, for MAUVISE, read MAUVAISE.

108. Albany Gazette, 26 December 1787

The Printer of the ALBANY GAZETTE, informs his ADVERTISING CUSTOMERS, That he has REDUCED the price of ADVERTISEMENTS as follows: Advertisements of one square, 3 weeks, 7s.

do. of two or more squares, do. 6s. per square.

CONTINUATIONS:

Advertisements of one square, 3 months, 1s6 per week;

do. do. 6 months, 1s3 per week;

do. of two or more squares, 3 months, 1s3 per square per week;

do. do. 6 months, 1s. per square, per week.

☞ The prices of Advertisements will be the same in the Albany Journal as the above.

Upwards of Eight Hundred of the Albany Gazette are printed every week, and circulated in this county, Montgomery, Washington, Clinton and Columbia, also in Bennington, and several towns in Berkshire county, and regularly sent to the principal towns from New-Hampshire to Virginia.

109. New York Journal, 27 December 1787¹

Our country friends, and patrons, will, doubtless, expect some NEWS, as well as POLITICS, in this day's Journal: what there is in circulation, though it must be acknowledged to occupy but a small proportion of the paper, is here inserted. What, would any one with FALSHOODS to be communicated, that TRUTH might abound! The genuine spirit of a printing-press forbids it: therefore, as the PA-

ROLE of the day is NEW CONSTITUTION, the countersign STATE CONVENTIONS, and the RAGE of the season, is, Hallow, damme, Jack, what are you, boy, FEDERAL or ANTIFEDERAL?—Constitution must be the burthen of the song, until some *dreadful news* attract the public attention.

1. Reprinted four times by 18 January 1788: N.H. (2), Mass. (1), Pa. (1).

110. *New York Journal*, 27 December 1787¹

It is *cried* with vehemence, “printers are partial,”—they either print on one side or the other, &c. &c. Obs. They doubtless print what is sent them—for a *printer*, as a *printer*, has no choice so long as parties are not decided; he admits every good essay; and if it should happen to appear *partial*, pray, leige, our readers, whoever are so nicely distinguishing do not stigmatize the printers, but take one paper of each sort.

To please is the great wish of a printer; but, *to please* he must not, this week, sit down and formally inform his readers, that, yesterday arrived a ship in 19 days from England, and met half way the favorite anticipations of the occidentals, by confirming the late reports of a WAR with England and France—for there is not a word of truth in it; neither has any vessel arrived from Europe since the last publication of the *New-York Journal* and *Weekly Register*.

1. Reprinted: *Massachusetts Gazette*, 11 January 1788; Exeter, N.H., *Freeman’s Oracle*, 18 January.

111. *Noah Webster Diary*

New York, 28 December 1787¹

Busy answering the address of the dissenting members of Pennsylvania—

1. MS, NN.

112. *New Hampshire Spy*, 28 December 1787

A letter dated at New-York, Dec. 20, 1787, has the following paragraph which may be considered as authentick, viz.

“The NEW CONSTITUTION will undoubtedly be adopted—*Delaware*, *Pennsylvania*, and *NEW-JERSEY*, have ratified and confirmed it.

113. *Robert R. Livingston to John Stevens, Sr.*

New York, 30 December 1787 (excerpt)¹

I recd your favour by your overseer & one a few days ago by the post in which you desired to be informed when there will be a Congress? This is an inquiry which no body here is capable of answering There are four states only represented three others have delegates here but not enough to form a house—it is probably however that in the course of a fortnight, more may come on but upon this subject we have no light that can be depended on. I congratulate you upon

the unanimity of your state on the subject of the federal government. I am fearful that violence of party in Pennsylvania will excite new troubles there, & the address of the minority is evidently calculated for very dangerous purposes, & may possibly be the means of effecting them—I am not surprized at what you tell me of a report prevailing of my being opposed to the federal government since it has been a prevailing artifice to spread such rept of all those whose opinions they imagined might have any influence on the public sentiment. I am happy that my letter enabled you to contradict it, & I should not have been averse to its having been made more public if necessary effectually to contradict the falsity of this report. . . .

1. RC, Stevens Family Papers, New Jersey Historical Society.

**114. John Stevens, Jr., to John Stevens, Sr.
30 December 1787 (excerpt)¹**

. . . I have Sent Mama a political Pamphlet which was written by a very good friend of hers the sentiments of which I hope will not displease her. . . .

1. RC, Stevens Family Papers, New Jersey Historical Society.

**115. Marinus Willett to John Taylor
New York, 30 December 1787 (excerpt)¹**

. . . I have not a single thing to write about—thanks fortune. I may Indulge myself in my *lasiness*—To write Politics cannot be worth while for Albany without doubt affords plenty at this time when such an *Unmeasurable field* is opened by the proposed Constitution. Whether there will be a serious European Warr is doubtfull—I am inclined to think not. . . .

1. RC, Park and Lloyd W. Smith Collection, Morristown National Historical Park, Morristown, N.J.

116. James Kent Memoirs, 1 January 1788 and later (excerpts)¹

. . . My brother was my inmate and helpmate for the three years that he was a clerk in my office. . . . After he left me, Smith Thompson took his place as my clerk and served me faithfully for three years, or until about the time I removed to New York. He had been nominally educated at Princeton College and he kept an English school at Poughkeepsie before he joined my office. He was a plain, modest, sensible, ignorant, young man, with narrow views and anti-Federal politics. . . . The Federal Convention and the new Constitution and the discussions therein gave amazing impulse to my feelings and with an intensity of ardor I embarked in Federal politics and quite gained an ascendant in the local proceedings and discussions. I had General Bailey, who lived next door to me, and my partner, G. Livingston, and Thompson, my clerk, as controversial antagonists, and Judge Benson, then living at Poughkeepsie, as my patron and coadjutor. . . .

1. Printed: Dutchess County Historical Society *Year Book*, VIII (1923), 25.

117. Lansingburgh Northern Centinel, 1 January 1788

To the Author of the News-Mongers' Song, and of some Rhymes, and a little prose—to which was added a couple of harrowed Lattin lines, which appeared in the 31st No. of the Northern Centinel.

Renown'd scribblerus, source of idle song,
 How hast thou curb'd thy native spleen so long;
 Ere this thy braying muse in grubstreet rhymes,
 Might have confirm'd thee, novice of the times.
 At length, howe'er, to prove your boasted sense,
 You give abuse for what gave "no offence;"
 Through all your lines conceited worth unfold,
 And raise a dust, like Æsop's fly of old;
 Like Homer's Troy, thy carp [– –] are hurl'd,
 Thy mongrel works, like *Virgil's*, shock the world.
 Tag prose to rhyme—drive ev'ry foe, who'll stan' ye,
Bon gre mal gre va la pretre au sené^(a)
 Shou'd you lack wit—steal *Virgil's*—raise a noise,
 Nor b'lieve one scabby sheap the flock destroys.
 Thus self approv'd, no more despair of fame,
 For sacred satire shall preserve thy name.

Albany, Dec. 21st, 1787.

(a) He must needs go whom the Devil drives.

**118. Peter Allaire: Journal of Occurrences
2 January–27 February 1788 (excerpt)¹**

... The State of New York are now in Session, and have (on 14th. April) Recommended to the different Counties to appoint a Convention for the purpose of taking into consideration the New Federal Constitution, it is Reported that the Assembly are Federalists that the Governour & Senate are Antifederalists, but as the adoptment depends on the Majority of the People, they appear to have the greatest sway. . . .

1. MS, Foreign Office, Class 4, America, Vol. 6, ff. 164, Public Records Office, London. Allaire hid his identity by signing the dispatch George Yonge.

119. Albany Gazette, 3 January 1788¹

A gentleman of very extensive information, in this state, is of opinion, we have a GOOD MAJORITY in FAVOR of the New Constitution.

1. Reprinted: *Hudson Weekly Gazette*, 10 January; *Massachusetts Gazette*, 25 January; Pennsylvania *Germantauer Zeitung*, 19 February.

120. *New York Journal*, 3 January 1788

☞ The Editor is called on by the great voice of nature, as well as by every act of patronage from his fellow citizens, including his correspondents, subscribers, and advertising customers, to unburthen his mind by the sincerest expressions of gratefulness for every species of support and encouragement. He begs to congratulate his patrons, and the public, that the past, during an entire revolution of yon brilliant orb, nought has dared to intrude within our limits, or disturb the peaceful possession of that golden winged cherub, who, in his beak, presents the sweetly scented olive branch—and thus salutes them with—“A HAPPY NEW-YEAR.”—From appearances the Editor flatters himself with having given satisfaction; if in any wise he has failed, he hopes, that an acknowledgment (with the good Doctor) of FALLIBILITY, will suffice.—The year thus closed, and the Editor finding himself called on for certain payments, he earnestly solicits, that all his customers who are in arrears for his paper, &c. would reflect upon the great expence of conducting it, and generously enable him to rub off all OLD SCORES and begin ANEW with the NEW-YEAR. Thus would they give him new spirit, and enable him with greater perseverance to pursue the great objects of his vocation—to soar among the spirits of BRUTUS, CATO, PUBLIUS, LANDHOLDER, &c. to detect the *evil one* from amid (if there he be) and to place him upon the steep of a precipice, that the might tumble thence down headlong. Thus circumstanced, and being ever anxious to perform impossibilities, viz. to please every one, soliciting the continuation of public favors, &c. is the Editor ever devoted, &c. &c.

121. William Constable to the Marquis de LaFayette New York, 4 January 1788 (excerpt)¹

. . . The New Constitution is the Sole Object of all our attention. Hamilton has written in defence of it under the signature of Publius, as soon as the Work is printed I shall send you a Copy of it—

The Emigration to the Western Country is beyond belief. should the New Government make any troubles a very great number of the Yeomanry of the East will retire to the Banks of the Ohio & Mississippi a very large tract of Land is now selling by the State of New York on the Banks of St. Lawrence, if any Persons in France shou[ld] be disposed to become proprietors would be the most eligible should you or your Friends have any idea of the kind I can put them in a Way to make the purchase at about 16 Sole Journois ~~39~~ Acre all the Expenses of Survey &c. included, & perhaps for Less

1. FC, Constable-Pierrepont Collection, Letterbook, 1782–1790, NN.

122. New York Daily Advertiser, 4 January 1788¹

His Excellency Governor Clinton, and several Members of Senate and Assembly, have set off for Poughkeepsie, in order to attend the business of the State in the present session of the Legislature, convened at that place, pursuant to adjournment.

1. This is an alternative version to that printed in the *New York Journal*, 3 January (RCS:N.Y., 691).

123 A–F. Antifederalism of Thomas Greenleaf Satirized in the New York Morning Post, and New York Packet, 7–11 January 1788

123-A. *New York Morning Post*, 7 January¹

Wanted Immediately,

A Gay, volatile, ANTI-FEDERAL PRINTER, as a *Waiter* in a gentleman's kitchen. He must be a "bachelor," and a native of New-England. "*His wages shall be as good as the*" station "*will admit of.*" Enquire of SQUIB, at his Office, No. 789, Water-Street.

January 7th, 1788.

1. The *Morning Post* reprinted this item on 8 and 9 January.

123-B. *New York Packet*, 8 January

*The following is sent us by a correspondent,
and inserted by his particular request.*

The following paragraph appeared in the *Morning Post* of yesterday, as an advertisement:

(See *Morning Post* of yesterday)

A Correspondent on reading the above observes, that he could not but feel regret, on seeing a public news-paper, prostituted to so puerile and personal a purpose. He is, however, willing to forgive the Editor of the *Morning Post*, when he considers that the arrogance and impudence of the Printer, whom the above paragraph was meant to satirize, *deserves much reprehension*.

Our correspondent further observes, that on reading an advertisement of the PATRIOTIC PRINTER's he was led to suppose, that the Journeymen Printers of this city were, all of them *federalists*; and that this *anti-federal oracle*, thought proper to vent his spleen and low humour at them, by offering them his "SECOND TABLE."

123-C. *A Journeyman Printer*

New York Journal, 9 January

MR. GREENLEAF, *Please to insert the following,
and gratify your much obliged and very humble servant,*

A JOURNEYMAN PRINTER.

To the New-York Journeymen Printers.

Huzza, my boys! exult forever! the coast is clear; we will soon teach these damn saucy master Printers how to behave! As for Sammy and Billy, we have them snug enough; and if you will but adhere to my advice, I will lay you ten thousand m's, close matter, that in less than three months, we, assisted by our Devils, shall have them all under our thumb, kick them, and cuff them about at our pleasure, and make them insert in their papers, what we please, besides obliging them to conform to our rules of treatment and wages; and who knows, boys, but we shall to chagrine and tease them, that they will be glad to relinquish all their rights, titles, and possessions, to get rid of our DIREFUL SATIRE, such as one of our fraternity *ordered* Billy and Sammy to insert in their last Monday and Tuesday's papers.—But, let me reflect a moment—I fear, upon further consideration, that we began our siege in the most vulnerable parts—for Sammy and Billy are two sappy heads, and I begin to suspect that we shall not succeed any farther:—However, my boys, push on Tim, the first printer's devil, and here is the lad to begin with the balls to paint the chops, and with the brier, to pick the teeth, of the first MASTER PRINTER, who shall dare to offer a SECOND TABLE, or ever refuse to be directed in his business, by

A JOURNEYMAN PRINTER.

Printers Street, sign of the Balls and Brier, Jan. 8th, 1788.

123-D. *An Admirer of Petty Tyranny*
New York Morning Post, 11 January

Mr. MORTON,

By inserting the underneath in your Paper of To-Morrow, you will oblige

A FRIEND.

Mr. PRINTER, What is your opinion of the piece in the Patriotic Register of this day, signed, A JOURNEYMAN PRINTER? Don't you think it contains an infinity of wit and humour? Yes, that you must acknowledge; but you will not so readily credit it as the production of a *journeyman*—it has something too *masterly* for that. Its pointedness of satire—its brilliancy of wit—and its super-abundance of humour, announce it to the world as the genuine offspring of the *astonishing brain* of *Don Pompozo Sapientissimo Thick-Skullo de Bombasto Paragrapho* himself, whose *numerosity* of *superlative* paragraphs, blending the true Attic *salt* with the *sweetness* of Hybla, and the *gayness* and *volatility* of real pleasantry, have so often not only extorted *visibility* from the muscles of gravity, but the *stare* of astonishment at such an uncommon superstructure of learning and levity!

He has touched on two characters, whom he calls Sammy and Billy; but I know nothing of his meaning, and will not attempt to search for it.

But pray, Mr. Printer, explain to us what he means by his thousand m's, his tooth pick brier, his balls, devil Tim, &c.—Coming from a character whose performances have gained him so exalted a station in the literary world, I am sure they must be the quintessence of wit, and I have certainly lost a favourite treat

in not being able to fathom its profundity. But, I suppose you, Gentlemen of the Type, keep this, as you do some other tit-bits, sacred to yourselves.

Was I a *master* Printer, I would make every poor devil of a journey man fetch and carry like a spanniel; and so far from suffering them to approach even "A SECOND TABLE IN BACHELOR'S HALL." would pack them to the kitchen, as the place best suiting them, where, if they could not satisfy their hungry maws with *my* remnants, they might pick the bones, or boil them to make soup. I would keep their noses to the grind-stone, and, mindful of *old times*, would convince them and all the world of the truth of an old adage, which I do not wish to repeat, but which you, Mr. Printer, may readily guess.

I am Sir, Your's, &c.

AN ADMIRER OF *Petty* TYRANNY.

January 9th, 1788.

123-E. Eugene

New York Morning Post, 11 January

MR. PRINTER, *The following LINES were wrote on reading an Advertisement of a certain Anti-fæderal Typographer, (which has made its appearance for some Days past in the Daily Patriotic Register) before it was publicly noticed. For obvious Reasons I have hitherto neglected publishing them; but finding something has been said in regard to the Advertisement alluded to, I now send them you, without any Addition, not chusing to notice any of the Pieces that have appeared. In this Introduction, however, I cannot omit stating my Opinion, that the Journeyman Printer, who favoured his Brethren and the Public, with such an eloquent Address in Yesterday's Register, is no less a Person than the self same Editor, who dwells at Bachelor's Hall.*

I am, Sir, Your's, &c.

EUGENE.

January 10, 1788.

Hail mighty *Bachelor* divine,
 Thy words so sweet, gay and sublime,
 With thee none can compare:
 Tho' Typographer you we call,
 Thou yet in rude *Bachelor's Hall*,
 For *Printers* may despair.
 With brazen looks, and filthy pride,
 You dare your hobby-horse to ride,
 And snarl and bite amain:
 With contumelious air you strut,
 And haughtiness your mind does glut,
 Which but yourself gives pain,
 Conceited man! thy pride alone,
 To which I know thou art full prone,
 Will yet thyself devour:
 With impious sway, thou darst refuse,
 The journeyman *thy* table's use;
 Shall they the dishes scour?

Avert the scene, ye kindly powers,
 And bring this matchless man of ours
 To know—his own station:
 Then he may spare some moments to
 Think on his *post* not long ago,
 And pay—due oblation.

123-F. *Second Table Typo's*
New York Packet, 11 January

Messrs. LOUDON, *Please to insert the following, and you will oblige*

A JOURNEYMAN PRINTER.

TO MONSIEUR FARRAGO, &c. &c. &c.

SIR, Thy extraordinary effusion in the *Patriotic Register* of Wednesday last, does thee honor.—The poignancy of satire—the brilliancy of wit—the elegancy of periods, and the unaffected stile, which so highly distinguish thy performances, whether paragraphical, sophistical, satyrical, or ironical, will heighten thy importance with the citizens of New-York. They will bless the auspicious star which guided thee thither; and conceive themselves delighted with the *modest* lubrications of so *superb* an Editor—an Editor who possesses the admirable art of applying *technical terms* with dexterity, and of maintaining his dignity in defiance of the machinations of *low born men*—*men* who have neither abilities nor *pomposity* to attain to the vast summit of a *Master Printer*, and who are scarcely worthy of a feat at a “SECOND TABLE.”

In fine, *Monsieur Farrago*, thou art so eccentric a genius, we know not how to stile thee. We sometimes are tempted to call the “TYPOGRAPHICAL COLOSSUS.” But, when we take an intricate view of thy productions, we find so much ‘*whimsicality*’ interspersed throughout, that we are apt to sigh for the frailties of human nature, and remark than ‘even the greatest and best of men have a *weak side*;’ but we fear thy *pericranium* hath received a small contusion; and instead of a *weak side*, thou hast a *weak head*, somewhat like the famous head of the *eccentric Gordon*—Be not now affronted; surely, if thou art ranked with so *great a man* thou *must be great*. But, hear and be astonished! In despite of the intrepidity of this *famous Gordon*, the people of England were pleased to stile him the “*First Political Mountebank in the kingdom*,” and, as politics and typography are nearly allied, thou surely wilt scorn to take offence, should we bestow upon thee the elevated title of the “*First Typographical Mountebank in the United States*.”

124. Lansingburgh Northern Centinel, 8 January 1788

NOTICE. *The assertions of several gentlemen of influence, that “REMARKS unfavorable to the federal constitution have been denied admittance into the Northern Centinel” render it necessary for the Editors thereof, in defence of their characters as printers, to declare, that not an original observation in opposition to federal measures hath yet been handed them for publication.—Their Press IS, and EVER HATH BEEN*

FREE;—*From this, those gentlemen who have proposed to make the Centinel the vehicle for conveying to the public their sentiments against the adoption of the new form of government, will please to infer, that the Printers remain their humble servants.*

125. New York Daily Advertiser, 8 January 1788

On Thursday evening his excellency the Governor arrived at Poughkeepsie. Saturday twenty-four Members of Assembly, and eight Senators attended; and it is expected there will, by to-morrow, be a sufficient number of Members to make a quorum.

**126. Samuel Holden Parsons to William Cushing
Hartford, Conn., 9 January 1788 (excerpt)¹**

[On the address page of this letter:]

Antis
Govr. Clinton
Atty Jones
(Atty Genl. Benson doubtful)
[Federalists]
John Jay
Ch[ancello]r Livingston
Col. Hamilton
Col. Lawrence
Ch. J. Morris
Sloss Hobart
Genl. Schuyler
All The Livingstons & Renslaers
& the Merchants in N. York City

1. RC, Cushing Papers, MHi. For the text of the letter itself, see RCS:Conn., 566.

127. New Jersey Journal, 9 January 1788¹

A pigmy antifederal frigid reptile [John C. Dongan], of Staten-Island, who surreptiously obtained a seat in the legislature, has been heard to exult that the blood of the federalists of New-Jersey would make excellent manure for their impoverished land.—What this Vicar of Bray, who, a few years since, was a vehement supporter of loyalty, but now a strenuous republican, meant to convey by the expression we shall not attempt to define; it is obvious—and should the nefarious miscreant put his foot on this shore, he may be treated according to his demerit.

1. Reprinted: *Pennsylvania Mercury*, 2 February; *Pennsylvania Packet*, 4 February; *Pennsylvania Journal*, 6 February.

128. New York Journal, 10 January 1788¹

All the intelligence that can be communicated respecting the legislature of this state, which, by proclamation, were to meet at Poughkeepsie on the 1st inst. is, that it was expected a quorum would be present yesterday.

1. Reprinted: *New Jersey Journal*, 16 January.

129. New York Packet, 11 January 1788¹

We learn, that the Hon. the Legislature, convened at Poughkeepsie, have formed a quorum of both Houses. We expect to have it in our power to present the public, with His Excellency's speech in our next publication.

1. The first sentence was reprinted in the *Pennsylvania Mercury*, 15 January.

130. New York Daily Advertiser, 14 January 1788

The PRINTER returns his sincere Thanks to the Public, for the very liberal and flattering Encouragement he has received each year since the first Publication of the DAILY ADVERTISER; and informs them, that the last has been attended with such a degree of Success, and increase of Circulation, in this as well as in most of the other States, as loudly call upon him to express his warmest Acknowledgment for such unbounded Favor.

He is aware that the Task he has imposed on himself, of attending the Legislature for the purpose of taking down in Short-Hand their DEBATES and PROCEEDINGS, which are to be regularly transmitted and published in this Paper, will be attended with difficulty, and must subject him to *considerable Expence*:—but, relying on the Patronage of his Fellow-Citizens, he has cheerfully entered upon the Undertaking—trusting that he will meet with such Encouragement as may enable him every year to *continue* this Useful and Important Information.

(We are under the necessity of omitting, in this day's publication, the proceedings of the Legislature, of the 9th and 10th inst. in order to lay before our readers the Speech of his Excellency the Governor, on the 11th—the report of two of the Delegates from this State to the late Federal Convention—and some late important European intelligence, which, collectively, we consider as of much more moment. To-morrow, the proceedings of those days shall appear.)

131. New York Journal, 14 January 1788¹

On Saturday evening his excellency the Governor arrived in this city from Poughkeepsie.

1. Reprinted: *Pennsylvania Journal*, 19 January.

132. John Randolph to St. George Tucker
New York, 15 January 1788 (excerpt)¹

. . . The laudable motive which actuates the Federal Citizens of New York has proved at last to be what they expect, under the new government, the partial Tax, laid on the Tories, will be taken off. . . .

1. Printed: *American Historical Autographs and Manuscripts* . . . , Park-Bernet Galleries Sale Number 1878 (New York 1959), Item 135.

132* A–B. Columbia County Grand Jury Presentment
Claverack, N.Y., 12 January 1788

132-A. Albany Gazette, 17 January¹*

The Court of Common Pleas of the county of Columbia, was held last week at Claverack, the Grand Jury, composed of the first characters in the county, conceiving it their indispensable duty, took into serious consideration the proposed Plan of Federal Government, and unanimously presented to the Court, as their opinion, That it would be for the happiness and prosperity of this state to adopt the same.

1. Reprinted four times by 27 February: N.H. (1), Mass. (2), Conn. (1). See RCS:N.Y., 616–17, for the presentment of the grand jury.

132-B. New York Hudson Weekly Gazette, 17 January¹*

On Saturday last the court of sessions and common pleas, holden in and for the county of Columbia, in the town of Claverack, adjourned till the second Tuesday in May next. No civil causes were tried, owing to the intense cold weather. In the sessions much business was executed particularly by the grand jury, who, with great dispatch and uncommon patience, attended the public business offered, which kept them till 11 o'clock, P. M. when they were discharged by the court. The grand jury, after they were dismissed by their foreman, presented an address to the justices of the sessions, purporting their unanimous approbation of the New Federal constitution, and that they had taken this opportunity, while convened on public business, to make known their sentiments to their fellow citizens. The above mentioned address will appear in our next—being omitted for want of room.

1. Reprinted in the *New York Journal*, 25 January; *New York Daily Advertiser*, 28 January; and in five out-of-state newspapers by 25 February: Pa. (2), Md. (1), S.C. (2). A one sentence summary appeared in the *Maryland Journal* on 5 February. The presentment was printed in the *Albany Gazette*, 17 January 1788 (supplement) (RCS:N.Y., 616–17) and reprinted in thirteen newspapers by 21 February: Mass. (1), R.I. (1), Conn. (2), N.Y. (4), N.J. (1), Pa. (4).

133. New York Journal, 17 January 1788

Four states have now adopted the proposed federal constitution, viz. Pennsylvania, Delaware, New-Jersey, and Connecticut. Massachusetts are now in convention at Boston. We hope, by next Thursday, to communicate some important intelligence from that quarter.

It is said, that North-Carolina convention are not to meet until July next.

134. Exeter, N.H., Freeman's Oracle, 18 January 1788

The Convention of the state of New-York, are now in session, and it is supposed will adopt the proposed federal Constitution.¹

1. The legislature of New York was then in session.

**135. Walter Rutherford to John Rutherford
New York, post-18 January 1788 (excerpts)¹**

. . . Madison has the principal hand in Publius and Hamilton assists. M. might have been President of Congress but on his refusal Cyrus Griffin was appointed. . . . The Convention is not yet come on at Pokeepsie, the Govr. does not oppose the Constitution in his legislative capacity, yet is open and diligent against it. The Chancr. and Jay are loud in its favour as is everybody I meet here.

1. Printed: Livingston Rutherford, *Family Records and Events: Compiled Principally from the Original Manuscripts in the Rutherford Collection* (New York, 1894), 139–40. This letter was dated only "New York 1788." The editors have dated it post-18 January because a part of the letter not printed here mentions the arrival in New York City of the Comte de Moustier, the French minister plenipotentiary to the United States. Moustier arrived in the city on 18 January.

**136. Hugh Hughes's Draft of "A Countryman" V
That Appeared in the New York Journal, 22 January 1788**

- ◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

1. MS, Hughes Papers, DLC.

137. Poughkeepsie Country Journal, 22 January 1788

Our Customers, and the public in general, are hereby informed that a POST again rides Eastward with this paper, taking the usual roads of our former Posts. The Printer flatters himself, that this Rider will give general satisfaction, he being a man of good circumstances and repute.

Those gentlemen who began a quarter with the last Post (William Moore) No. 118, will observe that he has carried seven weeks papers, that being little more than half a quarter. That the Printer may not be much the looser by the misconduct of the said Post, those who have had the papers and not paid any thing on account of the seven weeks papers above mentioned, will please to make payment for them to the Printer, or to Major Ebenezer Hill, the person who will have the management and carrying of the papers for this quarter, perhaps the year. The account of papers for this quarter, perhaps the year. The account of papers to each subscriber, for the last quarter, amounts to *ls. 6d.* each. As the Printer is sensible of the mismanagement of the post, he is willing to accept of such sums as the generosity of his customers may lead them to think him entitled to. He wishes none of his Customers to pay any money to the said Moore, on account of the last seven weeks papers, but that they will settle as above men-

tioned—and that he will be answerable for all paid to Mr. Hill or himself on account of the seven weeks papers carried by Moore.

If any of our customers wish to have their papers discontinued, they will signify the same to the Printer or Post immediately, and pay up the arrears, if any there be, otherwise their papers will be forwarded as usual.—And all those who are indebted for papers, or otherwise, will please to make immediate payment, either in cash or produce.

138. Hugh Hughes’s Draft of “Expositor” I, That Appeared in the New York Journal, 24, 31 January, 7 February 1788¹

◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

1. MS, Hughes Papers, DLC.

139. Francis Childs to Benjamin Franklin Poughkeepsie, 31 January 1788 (excerpt)¹

. . . I am now at this place collecting the Debates of the Legislature, and my Subscribers expect that I shall remain here during the Session, which will probably continue til the middle of April. . . .

1. RC, Franklin Papers, American Philosophical Society, Philadelphia.

140. Albany Gazette, 31 January 1788

An EPIGRAM on the Times.
 When faction was loud, when parties ran high,
 Religion and Liberty joined in the cry:
 But, O grief of griefs! in the midst of the fray,
 Religion and Liberty both ran away.

141. Boston Independent Chronicle, 31 January 1788¹

The General Assembly of New-York, we hear, have resolved that a Convention be called, for the purpose of assenting to, and ratifying the Federal Constitution—to meet at a short day.

1. Reprinted: Northampton, Mass., *Hampshire Chronicle*, 6 February.

**142. New York General Assembly's Resolution Calling a State Convention
31 January–1 February 1788 (Broadside)¹**

◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

1. This signed broadside is in the John McKessen Papers at the New-York Historical Society.

**143. Abraham Bancker to Evert Bancker
Poughkeepsie, 1 February 1788 (excerpt)¹**

. . . This Morning the Senate concurred in a Resolution of the Hon. the Assembly for Submitting the Consideration of the New Constitution and an Election of Delegates to Meet at Poughkeepsie on the third Tuesday of June for that purpose the respective Resolutions will be published in due time—I have no time to be particular at present as Mr. Duane is just going. . . .

1. RC, Bancker Family Correspondence, NHi.

**144. Richard Carson to Horatio Gates
Baltimore, Md., 2 February 1788 (excerpt)¹**

. . . Mr. Cyrus Griffin of your State, is chosen President of Congress, but ye. attention of all is taken up, for, and against the new Government, the appearances at present, are favorable for ye. former, most of the Eastern States are unanimous from what We hear.—The Assembly of New York are now sitting at Poughkeepsie we shall soon know their resolutions as our Friend [J. T.?] has promised to write me. . . .

1. RC, Gates Papers, NHi.

145. New York Daily Advertiser, 2 February 1788¹

Our last accounts from Poughkeepsie mention, that the important business of calling a Convention, to decide on the new Federal Constitution, was taken up in the House of Assembly on Tuesday, and made the order of the day for Thursday last.

1. Reprinted seven times by 26 February: N.H. (1), Conn. (1), N.J. (2), Pa. (2), Md. (1).

**146. LeRay de Chaumont to Tench Coxe
New York, 3 February 1788 (excerpt)¹**

. . . By what I have collected here in the different companies I have been in, I make no doubt that the majority will be in favor of the new constitution. . . .

1. RC, Coxe Papers, Series II, Correspondence and General Papers, PHi.

147. Comfort Sands to Henry Knox
New York, 3 February 1788 (excerpt)¹

I have Just Returned to this City from the Legislature Mr. Benson Requested me to Inform you as Soon as I Reached home, that both Branches of the Legislature had agreed to a Convention on Fryday last. & wishes you to write to Boston by post that they may be Informed of it—the Convention is to Meet at Pookeepsie the third Tuesday in June. . . .

1. RC, Knox Papers, GLC02437.03779, The Gilder Lehrman Collection, The Gilder Lehrman Institute of American History, at the New-York Historical Society.

148. New York Journal, 4 February 1788

On Thursday last, according to the order of the day, the propriety of appointing a *state convention*, was agitated, debated, *contested*, and finally obtained by a majority of TWO in the house of assembly at Poughkeepsie. More on this subject to-morrow.

149. Walter Ruthefurd to John Stevens
New York, 5 February 1788 (excerpt)¹

. . . The N. York Legislature have voted a Convention. The Senate 11 for, and 8 against.—The Accts. from Boston rather favorable—N. York Convention to meet at Poughkeepsie the 3d. Tuesday in June. . . .

1. RC, Stevens Family Papers, Stevens Institute of Technology, Hoboken, N.J.

150. New York Assembly Proceedings, Wednesday, 6 February 1788 (excerpt)¹

. . . Mr. Doughty, from the committee of the whole House, on the bill, entitled, *An act requiring all persons holding offices or places under the government of this State, to take the oaths therein mentioned*, reported, that after the said bill had been read in the committee, the first enacting clause was again read, prescribing an oath of office for every person appointed to any office, civil or military, in the words following, viz.

“I _____, do solemnly, without any mental reservation or equivocation whatsoever, swear and declare, that I renounce and abjure all allegiance and subjection to all and every King, Prince, Potentate and State, in all matters ecclesiastical as well as civil; and that I will bear faith and true allegiance to the State of New-York, as a free and independent State.”

That the same form of an oath having been read, Mr. Harison made a motion that the words “to the State of New-York, as a free and independent State,” should be obliterated, and the words “to the United States of America,” substituted in their stead.

That debates arose on the said motion, and that the question having been put thereon, it passed in the negative, in the manner following, viz.

For the Negative.

Mr. Jones,	Mr. Strang,	Mr. Cantine,	Mr. John Livingston,
Mr. Carman,	Mr. Van Orden,	Mr. Bruyn,	Mr. Clinton,
Mr. Taulman,	Mr. Frey,	Mr. Bloom,	Mr. Thompson,
Mr. J. Smith,	Mr. Van Ingen,	Mr. Bridges,	Mr. Tompkins,
Mr. Wyckoff,	Mr. Arndt,	Mr. Osborn,	Mr. Havens,
Mr. Tearse,	Mr. Powers,	Mr. Graham,	Mr. N. Smith,
Mr. Baker,	Mr. Webster,	Mr. Wisner,	Mr. Drake,
Mr. D'Witt,	Mr. Savage,	Mr. Younglove,	Mr. Winn,
Mr. Gilbert,	Mr. Schoonmaker,	Mr. Brooks,	Mr. Clark.

For the Affirmative.

Mr. Winnet,	Mr. P. Cantine,	Mr. Low,	Mr. Lewis,
Mr. Niven,	Mr. Benson,	Mr. Verplanck,	Mr. Harison.
Mr. <i>Speaker</i> ,			

That the committee had gone through the bill, and made amendments, which he was directed to report to the House; and he read the report in his place, and delivered the bill and amendments in at the table, where the same were again read, and agreed to by the House.

Ordered, That the amendments be engrossed. . . .

1. Printed: *Assembly Journal* [9 January–22 March 1788 (Poughkeepsie, 1788) (Evans 21314)], 55.

151. New York Independent Journal, 6 February 1788¹

On Thursday last, in the House of Assembly, at Poughkeepsie, according to the order of the day, the propriety of appointing a State Convention, was debated, when, after much opposition, it was carried by a majority of two.—And on Friday, in the Senate, the question was taken on the resolution of the House of Assembly for calling a Convention, when there appeared for it 11, against it 8—majority 3.—The election of the members of the Convention, is to be held on the third Tuesday in April next; and the members are to meet at Poughkeepsie on Tuesday the 17th day of June next.

1. Reprinted: *Virginia Norfolk and Portsmouth Journal*, 5 March.

152. Pennsylvania Packet, 7 February 1788 (excerpts)¹

Extract of a letter from a Member of Congress at
New-York, Feb. 4. . . .

“The New-Yorkers have fixed a day in April for a convention, by a majority only of three in the senate, and two in the other house.”

1. Reprinted: *Pennsylvania Journal* and *Pennsylvanian Mercury*, 9 February; *Maryland Journal*, 15 February.

**153. Philip Schuyler to Stephen Van Rensselaer
Poughkeepsie, 8 February 1788 (excerpt)¹**

. . . Colo Hamilton writes me that the prospects from the Massachusetts convention are more favorable, that indeed they preponderate in favor of an Adoption of the new constitution—If that event takes place there, I believe we shall have little contest here. . . .

1. RC, Miscellaneous Manuscripts, Philip [John] Schuyler Folder, DLC.

**154. Abraham Baldwin to Noble Wimberley Jones
New York, 8 February 1788 (excerpt)¹**

New York has at length determined on a convention by a majority of 2 in the house of Representatives and of 3 in the Senate. . . .

1. RC, Miscellaneous Papers, Baldwin Papers, NN.

155. Charleston, S.C., City Gazette, 8 February 1788

From a late London paper.

Extract of a letter from New-York, Sept. 20. [1787]

“The success with which the *convention*, governed by Gen. Washington, has continued its labours, and come to their conclusion, in offering to the consideration of all the members of the union a new plan, to consolidate their confederative system, forms the most happy omens for the duration of the American confederation. In the mean time, if this plan is agreeable, or does not produce any essential alteration, we may say that this is a new epocha from which we may date the existence of the United States. In effect, by the project, which is now in hand, we absolutely change the manner of existence of the body which represents the union; and the chief equality between the different independent members who compose it, is so modified, after infinite trouble, that it finds a compensation in every other part of this federative assembly. The manner in which it has been composed till the present time, was absolutely chalked out on the model of a celebrated Republick of Europe, where all the members of the Union, even those who contribute very little to the common charges, enjoy an equal share to the most considerable right whether it be by their extent, population, or riches: but experience has taught us, that this apparent difficulty being at the bottom the extremest inequality, has given place to the most palpable inconveniencies on the one side, in sometimes making the most essential part of the body politic sacrifice to the particular views of the majority of the other states, so that on the other hand, the interest of individuals of one confederacy often impedes the most salutary measures. The state of Rhode Island proves this latter truth by a striking example. It has not only denied to contribute its portion to pay off the common debt of the United States of America; but has positively

refused to send its deputies to the sittings of the convention. The state of New Hampshire made likewise great difficulty in concurring with the efforts of this assembly; but at last it yielded to the instances of the other confederates; and in July last its deputies came to join those of the eleven states. At that time we regarded the representation of all the confederates as complete; and proceeded to form a plan of a new union, without being willing to retard it for a long time by a single refractory state, whose conduct on this occasion appeared so much the more singular, as it was the smallest and poorest of the confederation, & became considerable only by the protection which it offered to the marine and fishery. When to the project of union, now in agitation, the basis is to settle between the states, on the one side, a perfect equality, and on the other an inequality, proportionably following the population of each, and governed by the common affairs of the federative body. In this view the common government of the thirteen states has been assimilated pretty nearly to the particular constitution of the greatest part of the states, especially of that of Massachusetts. In consequence we shall establish a president of the United States, a senate, & a chamber of the representatives of the union; so that the congress will be composed of two separate chambers; in the one, that is to say, in the senate each state sends an equal number of deputies, each two senators. In the other, the number of representatives varies according to the population of the state, for which they will be the deputies; for example, Virginia will have ten representatives, so that the state of Delaware, and that of Rhode-Island, will each have only one: and as they count the voices by the head, and not by the state, it results that the principal member of the federative body, as that of Virginia or Pennsylvania, runs a less risque of seeing its interest neglected or sacrificed to the name of an entire confederation, but on the other side, the authority of a federative assembly being ensured by this new form, it will not be more in the power of one alone, for the sake of the necessity of consenting unanimously, to embarrass measures the most advantageous for all the republic.

“We are ignorant if the wish of general Washington were accomplished, that the several states, in agreeing to the plan proposed, would attend to secure the permanency of the well being of America united. But, however this work will furnish a proof of returned tranquility, with which men of learning and talents, friends of moderation and reciprocal deference, are come to form a new federative system, by unanimous consent, worthy at least to be considered by the nations who think the same in Europe. In the mean time, the congress has made during the course of this year, a great progress in the arrangement of its finances: It has warned all its creditors, who have claims to the charge of the United States for services rendered, or objects furnished to the department of the marine, to come to state them at this board, to be continually directed: And, for its order, the department of the treasury has also called those, who made contracts with the secret committee of congress or that of commerce, to settle their account, in three months time, &c.”

156. New York Daily Advertiser, 9 February 1788 (excerpts)¹

HOUSE of ASSEMBLY.
POUGHKEEPSIE.

Friday, February 1, 1788. . . .

A message was received from the Senate by Mr. Duane, with a resolution, concurring to the resolution of the House for calling a Convention. . . .

1. Reprinted: *New York Journal*, 13 February; *New York Morning Post*, 15 February.

157. Pennsylvania Packet, 9 February 1788¹

Extract of a letter from New-York, dated Feb. 6.

“The state of New York has agreed to call a Convention, to meet at Poughkeepsie on the 17th June next. There was a very formidable opposition both in the Senate and Assembly—a majority of three in the Senate, and two in the Assembly.

“The honorable Mr. Benson and Mr. Hamilton spoke in the Assembly in favour of the new constitution. Mr. S. Jones and some others of the same party against it.—Mr. Benson was supposed by the well-wishers of the constitution to be against it: but this gentleman, with all the powers of eloquence, assisted by good sense and virtue, boldly came forward and declared himself in its favour, and was so hard on Mr. Jones, that he called on the house for protection. By this gentleman declaring himself in favour of the new system, the federal party in the country gain ground every day. He is a man of great influence in the upper parts of the state. It is not in my power at present to give the names of the members of assembly who voted for it.—Mr. Duane and Mr Schuyler in the senate exerted themselves in favour of it.

“By a vessel that arrived here from Charleston, S. C. papers are received to the 25th January, which confirm the account of Georgia having ratified the new constitution—indeed the form of ratification is published—and that South-Carolina has agreed to call a convention, to meet the 12th of May. There seems to be no doubt of that state.”

1. This is an alternative version of a 7 February letter from New York that appeared in the *Pennsylvania Herald*, 9 February (RCS:N.Y., 730). Two sentences from the *Packet*'s version were reprinted in the February issue of the Philadelphia *Columbian Magazine*.

158. Fabius

Albany Journal, 11 February 1788¹

To the Printers of the Albany Journal.

Gentlemen, I have ever conceived a dislike at attacking public bodies of men, for what they have solemnly determined, and thought it always improper to find fault with them during their deliberations, or give them any kind of interruption—Still actuated by this principle, I now decline censuring any thing the legislative body of this state may have already done, or are now doing—and,

except their compliance for a convention, I am ignorant of both; though I verily believe it to be nothing to the purpose. What they have done, are now doing, or mean to do, are questions, I believe, none but the great S——m J——s^(a) can solve.—I have strong apprehensions he is amusing, or rather perplexing, them with bills of *lunacy*, *immorality*, &c. instead of the great affairs of the nation—and I think my fears are not at all unnatural, when I consider that gentleman's propensity for diving into the intricate labyrinths of the law, is so great, that were he to turn the heads of the whole house, it would be no wonder: Better had he been a member of the British *museum* or *royal society* than a member of our legislature—for then he would have had full scope for his talents in unfolding hidden mysteries, and antiquities, which, in themselves, are more curious than useful.

It is my wish, and I think it ought to be the prayer of the whole state that, that gentleman would withdraw himself from public affairs, and retire upon his pension of 400*l.* per annum, for his digest, or to the honest practice of that profession for which he seems so peculiarly adapted—He has too long confounded our legislative body with the revival of old laws; which, I am told, three hundred years ago the English lawyers thought antiquated and useless. If this should be the case, gentlemen, in the present session, I should suppose there would be no impropriety in that hon. body's giving the gentleman his passport to go home—however, I humbly submit to their good will and pleasure, and am only certain as to the utility of the measure. Were I upon an intimate footing with that gentleman, I should certainly ask him, If he thought his long train of bills, for the *perplexing* of the law, were to be concluded this session—and if they were, whether he supposed the members would have leisure to attend to the more important affairs of the state—the revenue—the national debt—the union, &c. These are humble queries I would humbly propose to the great Mr. J——s, for 'tis he alone can tell—and undeniably, Mess. Printers, his powers are great, who has, more than once, with folded arms and silent nod, commanded a majority of that hon. house, when opposed by truth and good reasoning—god-like as he may appear to some, may Heaven forbid he should ever do it again. May the Disposer of all, inspire that house to resist his insidious attacks with firmness and contempt—and may he, instead of a legislator, become a private citizen, and a virtuous man.

(a) This man was a rank tory the whole war, but as he is now the hero of the tory party at New-York, the g——r and he have found an interest in joining hands.

1. Reprinted: Poughkeepsie *Country Journal*, 19 February (“*Inserted by Request.*”); *Hudson Weekly Gazette*, 21 February.

159. Middletown, Conn., Middlesex Gazette, 11 February 1788¹

On the 5th inst. the Senate and Assembly of the State of New-York, by concurrent resolution, recommended a Convention of Delegates, to be chosen by the Citizens of that State on the last Tuesday in April next, to meet at Pough-

keepsie on the third Tuesday in June next, to take into consideration the Constitution proposed by the Convention of the several States in the Union, lately held at Philadelphia.

1. Reprinted: Rhode Island *Newport Mercury*, 18 February.

160. Hartford, Conn., American Mercury, 11 February 1788¹

The General Assembly of the state of New-York have (by a very small majority) appointed a convention, to meet at Poughkeepsie, on the 17th day of June next!!!

1. Reprinted: *Boston Gazette*, 18 February; *New Hampshire Recorder*, 26 February. The Hartford *Connecticut Courant* printed a similar report on 11 February.

161. Hugh Hughes's Draft of "A Countryman" VI, That Appeared in the New York Journal, 14 February 1788¹

◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

1. MS, Hughes Papers, DLC.

**162. Seth Jenkins to Philip Schuyler
Hudson, N.Y., 14 February 1788 (excerpt)¹**

. . . P.S. We heartily congratulate you upon the Accession of Massachusetts to the New Constitution & flatter ourselves that it will have the greatest weight with this & some other States.—

1. RC, Schuyler Papers, NN.

**163. Philo Americanæ Reipublicæ
New York Hudson Weekly Gazette, 14 February 1788**

Mr. Stoddard, Please to publish the following, and oblige a friend.

Unskilled in the persuasive language of eloquence, a stranger to the press and conscious of my own inability, I venture to fill a column of the Weekly Gazette, for the perusal of the inhabitants of Columbia.

He who is desirous of being thoroughly acquainted with mankind, of what may be of universal benefit to society, considered as an aggregate body, or taken in in a more limited view, those who, from a natural locality are united in similar interests; he, I say, who would wish to view mankind in these points of view, and judge them with candor, must, if I may be allowed the expression, lay aside the prismatic glass of envy, and the microscope of criticism, and by the unclouded eye of reason and philanthropy, behold the designs, the motives and the actions of those we are about to judge, and see whether they will bear the touchstone of truth, or to be weighed in the balance of reason. It is now some months since

I have been a disinterested spectator of the rising city of Hudson. As a citizen of America, a friend to mankind, and a well wisher to noble enterprises; I have rejoiced to see her prosper and been pleased to see her rise. At my first viewing the place I considered it as formed by nature for trade and commerce, the key of wealth to this part of the country, and a stimula to the industry of the inhabitants, who, by reason of their distance from market, had become supine and negligent in the art of agriculture, and suffered those which conduce to the refinement of society to remain unimproved. Suffer me, my countrymen, to say, that I conceived this to be your situation prior to the settlement of this place, which I esteemed an æra, if rightly improved, from which you might date your happiness and future grandeur. But such is the uncertainty of human affairs, that we often find that which, if rightly improved, would be of the greatest utility subverted by folly and design into a contrary effect. And that a jealousy often subsists between the stock and its branches, between the fountain and its streams. Is it not truly surprizing that those, who are so closely united in interest, should be so distant in sentiment? Let us, for a moment, advert to the cause. Does it not proceed from misinformation, and those misinformations from envy or ignorance? As a member of the community, I wish prosperity to this state as a part of the union, and to you as inhabitants of this rising empire. But, believe me, your prosperity is inseparably connected with the advancement of this place, and he who would persuade you to the contrary must be in want of sense or candor. You may possibly think that you have been misused by the inhabitants in some particulars. It is possible: but will you not err, if from particulars, you draw general conclusions? Will it do to infer, that because the sun at times dries the surface of the earth so as to prevent vegetation from flourishing, that we had better be without the influence of that body? And he must have a very superficial acquaintance with mankind, who supposes that the greatest characters and the noblest actions are incapable of blemishes. He who implicitly adopts what the wisest man or body of men prescribe will at length find himself the dupe of his own credulity. On the contrary, must they not be in want of charity, honesty or discernment, who indiscriminately brand and villify the conduct and characters of the wise and virtuous, merely because they are not free from the common failings of humanity? It is needless for me (if this paper could contain them) to enumerate the many advantages that will naturally arise to the adjacent country, from the advancement of this place, they must be obvious to you all and must be confessed by every candid mind. But that you may not suppose me particularly interested in the rise of this place or biassed in its favour, believe me, I do not design it as a fixed place of residence. And the treatment I have received from individuals has been such as was by no means pleasing to me; but little minds deserve but little regard, therefore, I shall leave them to their own feelings. But I still believe there are a virtuous few, and that the gentlemen, the founders of this city, will meet the thanks of posterity for the nobleness of their undertakings. And may you and they destroy those distinctions, which will retard your growth, unite in the closest bands of civil society, and finally lend your aid in raising the AMERICAN EMPIRE above her enemies, by adopting a wise and energetic government, formed on the basis of CONFEDERATION.

164. New York Hudson Weekly Gazette, 14 February 1788

We would have been willing to have obliged the author of the piece signed, "A FREEMAN," by correcting the "*small errors in the spelling,*" and *even great ones,* had there been no others; but his piece is inadmissible for two stronger reasons, viz. Its personality and inelegance; no piece of that description shall find a place in this Gazette. Pieces written with decency and devoid of personality, will be thankfully received and duly attended to.

165. New York Daily Advertiser, 14 February 1788

Yesterday evening arrived in this city the Hon. RUFUS KING, Esq. who left Boston last Saturday.—By this Gentleman we have received a Boston Paper of Feb. 9th (three days later than the post brought us), which contains the following

Important Intelligence.

BOSTON, Feb. 9.

The GRAND FEDERAL EDIFICE.¹

1. Here follows the *Massachusetts Centinel's* 9 February account of the Massachusetts Convention proceedings for 6 and 7 February. (See RCS:Mass., 1487–88, 1494–95.)

The paragraph on King was reprinted in the New York *Independent Journal*, 16 February, and in five Pennsylvania newspapers by 27 February.

166. New York Journal, 14 February 1788¹

MR. GREENLEAF, *Please to insert the enclosed in your paper to-morrow,*
and oblige yours,

MERLIN.

Triumph ye speculators, who have purchased the fruits of the soldiers blood and toil, at two shillings and six-pence on the pound!—Triumph ye sons of Beliel, who make gold the idol of your souls!—Triumph ye ambitious, and *well born,* who plume yourselves on the prospect of riding on the necks of those who have fought to give you consequence, and placed you in a situation to injure them!—Triumph ye contractors, commissaries, financiers, and agents, who have filled your coffers by cheating the public, and make use of your ill gotten wealth for the purpose of enslaving your country!—But, at the same time, remember, in the midst of your rejoicings, that joy is frequently turned to mourning, and that the race is not always given to the swift, nor the battle to the strong.

1. Reprinted: Boston *American Herald*, 3 March.

167. Massachusetts Worcester Magazine, 14 February 1788

The House of Assembly and Senate of Newyork, have resolved to call a Convention to decide on the new Federal Constitution, to meet at Poughkeepsie, on the 17th of June next.

168. Sincerus**New York Daily Advertiser, 15 February 1788**

Mr. CHILDS, The zeal and activity exhibited by Messrs. Morgan and Young, ship-builders, and B. Coen, sail-maker; who in twenty minutes completed the purchasing, making, painting and hoisting the *Massachusetts Flag* on the Coffee-House yesterday, when the citizens were announcing their approbation by the discharge of cannon, of the wise, prudent and unexampled conduct of that State upon the proposed Constitution, merits the esteem and friendship of every friend to the new Government; I therefore return them my thanks, wishing them uninterrupted peace, content and plenty; and that they may soon feel the good effects of the cause they advocate.

169. Jeremiah Olney to Henry Knox**Providence, R.I., 17 February 1788 (excerpt)¹**

. . . It affords me peculiar pleasure To Congratulate you Sir on the adoption of the New Constitution by the late Convention of Massachusetts—a most Interesting & Important event—I hope New York and the other States will Soon follow the *Godlike* Example

1. FC, Shepley Library, Rhode Island Historical Society.

170. Hill & Ogden to Kemble & Spins**New York, 18 February 1788 (excerpt)¹**

. . . From the fair Probability that the new Federal Constitution will take place in this Country we expect that our Commerce with Great Britain will be established on Principles mutually advantageous as well as on a permanent Basis; in the mean time shou'd prefer our goods to be sent in an American Bottom as the Duties on goods imported in foreign Vessels are considerably higher unless the Premium of Insurance on American Ships should be as much higher as to Counterbalance the Extra duties here. . . .

1. FC, Lewis Ogden Letterbook, 1787–1798, NN.

171. Robert Cambridge Livingston to James Seagrove**New York, 18 February 1788 (excerpt)¹**

. . . Massachusetts you will have heard has acceded to the new constitution—Hampshire will probable do the same. and our convention will probably conform to it in [June?] next, tho' it's thought it will meet with opposition from many of the counties perhaps. . . .

1. FC, Robert R. Livingston Papers, NHi.

172. Rufus King to Theophilus Parsons
New York, 20 February 1788¹

By the British packet which arrived this morning I have a letter from Col. Smith^(a) inclosing an Extract from the concluding letter of Doctr. Adams third vol. on the American Constitutions. The Extract is too long to be copied at this time, I subjoin the conclusion of it, which will explain the Doctor's Opinion concerning the new constitution.

Extract of a letter dated Grosvenor Square, Decr. 26. 1787.

"It is now in our power to bring this work to a conclusion with unexpected dignity—in the course of the last summer, two authorities have appeared greater than any that have been before quoted, in which the principles we have attempted to defend have been acknowledged. The first is an ordinance of Congress of the 13 July, 1787 for the Government of the Territory of the United States north west of the River Ohio. The second is the report of the convention at Philadelphia of the 17 of September 1787. The former confederation of the United States was formed upon the model and Example of all the Confederacies antient and modern, in which the federal Council was only a diplomattick body. Even the Lycian which is thought to have been the best, was no more. The magnitude of Territory, the population, the wealth and commerce and especially the rapid Growth of the United States have shown such a government to be inadequate to their wants—and the new system which Seems admirably calculated to unite their interests and affections, and bring them to an uniformity of principles and Sentiments, is equally well combined to unite their wills and forces as a single Nation.

"A result of accommodation cannot be supposed to reach the ideas of perfection of any one: but the conception of such an idea, and the deliberate Union of so great and various a people in such a plan, is without all partiality or Prejudice, if not the greatest Exertion of human understanding, the greatest single Effort of national Deliberation that the world has ever seen. That it may be improved is not to be doubted, and provision is made for that purpose in the report itself: A people who could conceive, and can adopt it we need not fear will be able to amend it, when by Experience its inconveniences and Imperfections shall be seen and felt."

Col. Smith observes in his letter that Mr. Adams wished no concealment of his Opinion on this subject; and I think its publicity may be useful. I am without a Frank; if the Doctor's Opinion is not worth the postage you value it much less than I do.

(a) See letter Jan'y 1, 1788.

1. Copy, King Papers, NHi.

173. Sidney
Albany Gazette, 21 February 1788¹

"Let Cicero then live in submission and servitude, since he is capable of it; and neither his age nor his honors nor his past actions, make him ashamed to

suffer it: For my own part, no condition of slavery, how honorable soever it may appear, shall hinder me from declaring war against tyranny, against decrees irregularly made, against unjust dominion, and every power that would set itself above the laws.” *Brutus*.

The dangers of adopting the new Constitution having been pointed out, I shall now proceed to consider, whether it would be necessary and proper; and, whether Americans have any good reason to put more confidence in their rulers than Europeans.

It is admitted, that it has been matter of dispute, at all times, whether a monarchical, aristocratical or democratical government is the best. It was the case in the time of Samuel, and in the council of the seven princes of Persia; this was also the case with the Dutch upon their revolt from Philip the second—with the English after the death of Charles the first, and the Americans during the late revolution.

It is, however, established by the experience of all ages, that, in the two first, there is no security for the rights of the people; in the last, no dispatch.—“That the two first are too strong, encroach too much upon liberty, and incline too much to tyranny; the last too weak, delivers people too much to themselves, and tends to confusion and licentiousness.”

These were the rocks we had to avoid, when, in 1777, we agreed to a republican government.

“In political arithmetic, it is necessary to substitute a calculation of probabilities, to mathematical exactness. That force which continually impels us to our own private interests, like gravity, acts incessantly, unless it meets an obstacle to oppose it.”

“A perfect government (says Rollin) would be that which should unite in itself, all the advantages of the three former, and avoid the dangers and inconveniences they include;” and then it is called a republican or mixed government. Such, even in their present state, are the English and the Dutch.

But a difficulty remained, what proportion of ingredients should be taken out of each; or, in the words of Montesquieu, “to combine the several powers, to regulate, temper and set them in motion—to give as it were ballast to the one, in order to enable it to resist the other;” (the English and the Dutch have missed it in their compound, by adopting, the first, too great a proportion of the monarchical—the Dutch, too much of the aristocratical ingredient) and even then, all the difficulties would not be removed, as the fundamental principles they act upon are so different.

In a monarchy, the king^(a) rules in duplicity and partiality, and makes himself *respectable* among the *nations* of the earth, by *luxury*, *extravagance*^(b) and *dissipation*; when, on the contrary, in a republic there is no king except the *LORD OF HOSTS*, the pillars of whose government are righteousness^(c) and truth; and to them, and them only, ought all nations upon earth to look for respectability. In considering the rules of propriety, the principal object with the one is, how to be generous; the other how to be just. And in respect to the public burthens, the former considers how much he can spend—the latter, how much they can save:^(d) That, how much the people can bear—this how little may do.—The

Congress at Philadelphia (a body of men, in the words of Mr. Pitt, “that for solidity of reasoning, force of sagacity, and wisdom of conclusion, no nation or body of men stand in preference to”) upon the greatest deliberation and circumspection, unanimously agreed to a republican form: wherein, they have united all the advantages of the three former, and, as much as possible, avoided the dangers and inconveniencies of each (the objection of Maryland was not to the form of government, but to the soil and jurisdiction of all the western lands—not foreseeing, as they now do or soon will, the dangerous tendency it would have to the liberty and property of the old states) not that I suppose it perfect: for I hold, that there never was nor ever will be a government perfect, so as not to be open to corruption (unless at [the] Millenium) but I am persuaded, that every person who has considered the difference between the condition of the people in Europe, compared with those of the United States of America, will agree with Doctor Franklin; who says, “whoever has travelled through the various parts of Europe, and observed, how small is the proportion of people in affluence or easy circumstances there, compared to those in poverty and misery; the few haughty landlords, with the multitude of poor, abject, rack-rented, to the paying tenants and half paid, and half starved ragged laborers; and views here the happy mediocrity, that so generally prevails thro’out these states—where the cultivator works for himself, and supports his family with decent plenty, will see abundant reason to bless Providence, for the evident and great difference in our favor, and be convinced, that no nation, known to us, enjoys a greater share of human felicity.”

The good opinion I have of the frame and composition as well of the Confederation as the several state Constitutions; and that they are, if administered upon republican principles; the greatest blessings we enjoy; and the danger I apprehend of the one proposed is, that it will become the greatest curse, and be the means of destroying ours: as the like measures ever have destroyed the liberties of every people that have attempted to do so; has led me into the following discussions; conceiving it not only the duty of a patriot to enquire, like Daniel, *Whose footsteps are those?* but to call out like Paul, *Stand fast in the liberty, be not entangled with the yoke of bondage.* “What? in a quarrel (says Vattal) that is going to decide forever their most valuable interests, and their very safety, are the people to stand by as tranquil spectators? as a flock of sheep is to wait till it be determined, whether they are to be delivered to the butcher or restored to the shepherd’s care.”

For my own part, I adopt the sentiments of Sidney: “Whilst I live I shall endeavor to preserve my liberty, or at least not consent to the destroying of it: I hope I shall die in the same principle in which I lived, and will no longer live than they can preserve me.”

(In treating this Subject I shall first enquire: Wether the measure is Necessary or proper? and then W[h]ether americans have any Solid Reason to put more Confidence in their Rulers than the Europeans)²

In my discussions on this subject, I do not mean to ascribe every bad consequence, that may appear to flow necessarily from certain measures, to the evil intentions of ALL those that advocate the measure, nor to every member of

Congress; for I am well assured, that there have been at all times members in that hon. body, and even among the wealthy, that have disapproved of the measures and acted the worthy patriots, and others, that deserve no more blame, than those who in their innocence accompanied Absalom in his treasonable practices: it being even a hard fate that the burthen of the proof was turned upon them, without an evil intent—And as it will require to point out the reprehensible conduct of the public officers, which will sometimes also apply to their superiors, I shall endeavor to do it with as much delicacy as I am able, consistent with truth—and “truth (says Montague) will never offend the honest and well meaning, for the plain dealing remonstrances of a friend differ as widely from the rancor of an enemy, as the friendly probe of a physician from the dagger of an assassin”—Yet, in sentiment with Hardwich, “that there is a decency required in tracing the faults of past times; we may look for information and warning, and even reproof, but not invective.”

Nor shall I attempt to palm my own opinion upon the public (a mode too prevalent now a days) under a cloak that the example of other countries will not apply, because the rulers in America would not be so liable to abuse their power: what I shall advance, I intend to support by the best and most approved authorities, which I mean to follow rather as a compiler than an author, and that too as much as possible in their own words; for in the words of Montague, “unhappily the resemblance between the manners of those ancient *republics* in the *most degenerate periods* is, in many respects, so striking, that unless the words in the original were produced as vouchers, any well meaning reader, unacquainted with those histories, would be apt to treat the description of those periods, which he may frequently meet with, as licentious and undistinguished satire upon the present time;” therefore all the reader will have to do (tyrants do not read) will be to examine the facts stated and the authorities referred to, and see *whether these things were so*. I hope I shall not be blamed on account of the repetitions, “for it can never be superfluous to repeat again and again those truths of which mankind have not yet profited.”

(a) “*Kings hate virtuous men who oppose their unjust designs, but caress the wicked who favor them.*”
2 Burlamaqui 67. Montague 276.

“*In monarchies, the actions of men are judged not as virtuous but as thinking—not as just but as great—not as reasonable but as extraordinary.*”

1 Montesquieu 36.

“*In monarchies, policy effects great things by as little virtue as possible, if there should chance to be some unlucky honest man, Cardinal Richelieu, in his political testament, seems to hint, that a prince should take care not to employ him: so true it is that virtue is not the main-spring of this Government.*”

1 Montesquieu 28, 30.

(b) “*Luxury is absolutely necessary in monarchies; hence arises a very natural reflection—Republics end with luxury, monarchy with poverty.*”
Ibid 124.

(c) “*There is no great share of probity necessary to the support of monarchical or despotic government; but in a popular state, one spring more is necessary, namely virtue: When virtue is banished, ambition invades the hearts of those that are disposed to receive it, and avarice possesses the whole community.* [”]

1 Montesquieu, 24, 25.

“Thy Righteousness is an everlasting Righteousness and thy Laws is truth”
Psalm 119 v 142

“Righteousness exalteth a Nation” proverbs 14 v 15

“He that Justifieth the Wicked, and he that Condemneth the Just even they both are an abomination to the Lord” proverbs 17 v 15)³

((d) “commonwealths are to be supported as private families, and must take accounts of Recei[p]ts and disbursements and Manage its stock with care and frugality; if they intend to Subsist with Character and Reputation” see Woods Civil Law 141)⁴

1. Reprinted: Poughkeepsie *Country Journal*, 4 March; Philadelphia *Independent Gazetteer*, 19 March. The manuscript draft of this essay in the handwriting of Abraham Yates, Jr., is in his papers at the New York Public Library. See notes 2–4 (below).

2. The text in angle brackets appears in Yates’s draft.

3. The text in angle brackets appears only in Yates’s draft.

4. The internal footnote in the body of the essay and the text in angle brackets appears only in Yates’s draft.

174. Justice

New York Hudson Weekly Gazette, 21 February 1788

Mr. Stoddard, Having from many recent occasions had reason to revere your impartiality as a Printer, and never doubt your integrity. I send you the following for publication: it arises from nothing more than a wish to promote justice and refute misrepresentation.

To the author of a piece signed, “A Citizen,” published in the Hudson Gazette, the 31st ultimo.

SIR, You should have received an answer from me sooner had not a multiplicity of business engaged my attention. I shall not traduce you, nor any other character; I think such conduct beneath my notice, and a derogation from the principles of a gentleman.

You begin with begging leave to offer some observations to the consideration of the people of this state—those you have offered are, indeed, Mr. Citizen, seriously important, and would, I fear, if adopted, involve us in all the horrors of a civil war; which heaven avert! You view, in common, with ‘painful solicitude’ the situation of our public affairs—the numerous insolvent advertisements that daily engross so large a portion of every newspaper—so do I, Mr. Citizen; but, for heaven’s sake, devise a better method, than a wish to coerce the legislature and set our laws at defiance! Pity a noble spirit should so degenerate itself! as to become too fond of an overweening interference, insensibly contract the lost of power, and advise the people to commit the excesses of despotism, while you, Mr. Citizen, think you are only committing the excesses of liberty. The payment of the public debt, that old hackneyed observation, is still to be dragged into

every public topic—and our ears constantly dinned with the sound of this terrific monster, but I am not without hope, that a short period will enable us to surmount this, as well as many obstacles, under which we at present labor. “The vast tract of fertile country to the westward,” is an object worthy the attention and investigation of every true AMERICAN, and that it will become so, is my ardent and sincere wish—The Genassee company have, I say, made a laudable effort to obtain a settlement, and I wish success to their enterprize—Is it because they will yet be revered as the establishers of this place, that you envy their popularity—and inveigh against their exertions—But these men who have become the objects of calumny (I thank God, with only a few) are not, Mr. Citizen, the mushrooms of an hour, but men who have considerably contributed to the liberty we now enjoy: I am certain they will make an adequate compensation to the state and pave the way to new discoveries. You may conjecture, Sir, that I am concerned in this affair—I do solemnly declare that I am not—nor am I even acquainted with any that are, by the common ties of conviviality. You say, Sir, “That should the present legislature confirm the Genassee company in their purchase, there will be enough to declare such an act unconstitutional and void,” good heaven! do you want to overturn our liberties, by dragooning the legislature, or do you want the people to go to the senate and enforce their demands with the point of the bayonet? There is no friend to the peace, and prosperity of this country would advise such a measure: and to suppose the best I must conclude that you overlooked the matter, and had not considered the conduct, you advised your countrymen to adopt—for if you had I am sure you would never have wished them to trample on the laws of the land, and for justice at defiance. I would, Sir, advise you, to endeavour to stimulate your countrymen, to unanimity, and a virtuous perseverance—to put men into the legislature, possessed of integrity and ability—faithful and unconquerable—able and always ready to serve you. Put in such men, I say, and we shall then, rise into consequence, respectability and opulence—with these observations, I shall conclude, and although I could with propriety sign myself a citizen, my favorite signature is,

JUSTICE.

175. New York Hudson Weekly Gazette, 21 February 1788

It appears more than probable that before the end of March nine states will have adopted the federal constitution.

176. Montreal Gazette, 21 February 1788

*Extract of a letter from a Gentleman in New-York,
to his friend in Montreal, dated February 1.*

“Every idea of war in Europe has subsided; the Dutch are brought to a sense of their duty, and the French have broke their faith as usual.—The English, Prussians, and the Stadtholder, have shewn themselves superior in policy as well as in arms, and have silenced the late military preparations in a manner more

effectual to promote a lasting peace than the infamous, of 83.—The United States of America have not adopted the New Constitution, nor do I think they will, as it labours in the State of Massachusetts, where more sound policy center than in the other dozen.”

177. Vermont Gazette, 25 February 1788

The Legislature of the State of New-York, have it under consideration, to call in their paper money at present in circulation, and emit a new sort; It is hoped however, that a previous adoption of the Federal Constitution, will prevent the necessity of the measure.

**178. Peter Elting to Peter Van Gaasbeek
New York, 27 February 1788 (excerpt)¹**

. . . You must here now have heard that Masachusets has adopted the New Constitution it occasioned great Joy with many of our Citizens as they Expect that our State will be influenced by their measures, and I think it Likely that the party for it will be Represented In Convention from this City. . . .

1. RC, Van Gaasbeek Papers, Senate House Museum, Kingston, N.Y.

**179. Sidney
Albany Gazette, 28 February 1788¹**

“As tyranny that governs by the sword, has few friends but men of the sword, but legal tyranny (where the people are only called to confirm iniquity with their own voices) has on its side, the rich, the timid, the lazy, those that know the law, and get by it, ambitious Churchmen, and all those whose livelihood depend upon the great pasture of affairs.” 3 Burg 5.

After this introduction, I shall go on to the first part, and enquire whether the adoption of the proposed Constitution is either necessary or proper.

It is asserted that this dangerous step is become unavoidable in the present situation of things, for want of the necessary powers in Congress.—“The friends of our country (say the Convention) have long seen and desired, that the power of making *war*, *peace* and *treaties*—that of *levying money* and regulating *commerce*, and the correspondent *executive* and *judicial* authorities² should be fully and effectually vested in the general government of the Union: but the impropriety of delegating such extensive trust to one body of men is evident. Hence results the necessity of a different organization.”

The defects and their consequences are more particularly enumerated in a certain celebrated oration, where the orator describes Congress, as a “nerveless council, united by imaginary ties, brooding over ideal decrees, which caprice or fancy is at pleasure to annul or execute—(then observes) I see trade languish, *public credit* expire, and that *glory*, which is not less necessary to the prosperity of a nation, than *reputation* is to individuals, a victim to opprobrium and disgrace.”

Those in this State, he supposes “occasioned by the negligence of the people, who, after violent agitation, have sunk into such a state of torpor and indifference with respect to government, as to be careless into what hands they trust their dearest rights, as if experience, application, genius and education, are unnecessary to those, who are to frame laws for the government of the States.”

I shall consider these articles separately, and first the situation of *trade*, then that of *glory* and *credit* and lastly the *indifference* of the people.

It is astonishing to find how much the public have been imposed upon respecting trade: If the reader will take the trouble of turning up the Journals of Congress, of the 3d March and 23d October, 1786, he will find that Congress, if not already vested with full power to regulate trade, might long since have had such power, according to their wishes. The history of which is, that the measures of Britain, soon after the peace, in respect to her commerce, alarmed the merchants, and made Congress apprehensive that their powers were not sufficient to command reciprocal advantages in trade, they therefore called upon the States, the 30th of April, 1784, to be invested with additional powers for the term of fifteen years: but, either from the novelty of the matter, or the resolution of Congress not being sufficiently explicit; Congress judged it expedient on the 3d of March, 1786, to explain the resolutions made on that subject, and to urge a compliance. On the 23d of October following, the committee to whom this business was referred, in their report observe, “That from a review of the acts, passed by the several States, in consequence of the said recommendation, it appears that, though in order to make the duration of the powers equal, it will be necessary, for the States of Connecticut, Pennsylvania, Maryland and South-Carolina, so far to amend their acts, as to permit the authorities therein granted, to commence their operation at the time Congress shall begin to exercise them—yet, the powers granted by them and by the States of Massachusetts, Rhode Island, New-York, New Jersey, Delaware, Virginia and Georgia, are otherwise in such compliance with the recommendation, that if the States of New Hampshire and North-Carolina had conformed their acts to the said resolution, agreeable to the urgent recommendation of Congress, of the 3d of March last, the powers therein required^s might immediately begin to operate; the committee however are of opinion, that the acts of the States of New-Hampshire and North-Carolina, manifest so liberal a disposition, to grant the necessary powers upon the subject, that their not having complied with the recommendation of March last, must be attributed to other reasons than a disinclination in them to adopt measures similar to their sister States.”

As trade seems to have been reserved, as a pretence to get Congress invested, first with an independent revenue, and since with legislative and judicial powers—I beg leave here to call the readers particular attention: whether (if Congress are not already vested with this power) it stands on such a footing, as to dispair of the two legislatures agreeing to it: and whether this ought to induce us to discard a good government, and adopt another so full of the seeds of tyranny.

As to the other part respecting *glory* & *public credit*, I will readily admit that *reputation*; that is, to be considered a man of *truth*, *honesty* and *economy*, is nec-

essary to an *individual*, and to *virtue*, *righteousness* and *truth*; to the *prosperity*, *exaltation* and *glory* of a republic.

But if by this *glory* and *public credit*, is meant, that we are like to loose the benefit of obtaining *new loans of money*, abroad?—I differ so widely, that I am confident, it would have been a happy circumstance, to the Federal Union; if that sort of *glory* and *credit*, had expired the 30th November, 1782, when the provisional treaty was signed: because, then less money would have been taken up in Europe, and less money squandered in America. Besides, I am apprehensive, unless the power of taking up loans in Europe is restricted, that not a dollar of the principal (if the interest) of the foreign debt, will ever be paid; for if Congress, or as it is called, *the nerveless council* &c. with no other resources, but those obtained by loans abroad, or by requisitions at home, have been enabled with their servants to manage matters, as to be now in the exercise of *levying armies* in time of profound peace, establishing *governments*, granting *pensions* and *sinecures*,⁴ and imposing *oaths of secrecy* on all their officers—who, among other things, swear, “that I will not disclose or reveal any thing that shall come to my knowledge in the execution of the said office, or from the confidence I may thereby acquire, which in my judgment or by the injunction of my superiors ought to be kept a secret.” I say, if those abuses have been committed under the present powers and resources, would not greater powers and more resources, have enabled them to have committed still greater abuses—to have involved the country in still greater confusion? and, rendered it a still greater victim of opprobrium and disgrace? Indeed it may be a very serious question, what would have been our situation, if Congress in 1781, had been invested with the power of levying the impost of five per cent. &c. and, that it was not intended to stop here, will appear from the letter of the Financier, of the 27th of September, 1782.

“The requisition (he says) of a five per cent. impost made on the 3d February, 1781, has not yet been complied with by the State of Rhode Island; but as there is reason to believe that their compliance is not far off, this revenue may be considered as being *already granted*. It will however be very inadequate for the purposes intended.^(a) If goods be imported and the prizes introduced to the amount of 12,000,000 dollars annually, the five per cent. would be 600,000 dollars, from which, at least one sixth part must be deducted, as well for the cost of collection, as for the various defalcations, which will necessarily happen and which it is unnecessary to insinuate. It is not safe therefore to estimate this revenue at more than half a million; for though it may produce more, yet probably it may not so much.

“It was in consequence of this, that on the 27th of February last, I took the liberty to submit the propriety of asking the States for a land tax of one dollar for every hundred acres of land, and a poll-tax of one dollar on all free men and all male slaves between sixteen and sixty (excepting such as are in the federal army, and such as are by wounds or otherwise rendered unfit for service) and an excise of one eighth of a dollar per gallon upon all distilled spiritous liquors.”

In regard to the last, to wit, the *torper* and *indifference* of the people with respect to government.

This remark has no reference to the confederation, but is entirely confined to the people of the States;⁵ if not those of the State of New York only, and is not even mentioned as a fault in the constitution: for the gentleman observes, “*all the ends of government are answered so far as they depend upon the constitution.*” But his complaint is of the indifference of the people, “*that not one in ten tenders his vote[?]*” &c.

I will admit, that when it is left to the people to cho[*o*]se whom they please, and especially when there is no great opposition, they are too indifferent, and too few go to the poll to tender their votes; while at other times, when there is opposition, measures are taken, which in strictness are not justifiable—and I will also admit there are some who are led by whim and caprice to prefer one candidate before another. “Distinctions raised by vanity among families (says Montesquieu) under pretence that they are more *noble* or *antient*; pretensions of this nature ought to be ranked among the weaknesses of private persons.”

It is notwithstanding in civil, as it is in religious transactions, people generally choose men (like those shepherds of old, who fed their flock instead of themselves) who they suppose will serve them best, so did Paul, when he sent Timothy to the Philippians; for, after reproaching their strife and vain glory, he tells them “you are not to look every one on his *own things*, but every man also on the things of others. I therefore send you Timothy, for I have no one like minded, who will naturally care for your state, for all seek their own.”

Bacon has the same sentiment clothed in another dress, and represents it as being wise in the *general* and being wise for *ones self*, the one (he says) seems to move as from the *centre* to the *circumference* and the other from the *circumference* to the *centre*.

(a) About the same time, he was advising Doctor Franklin, that the sum of three million livres understood to be granted as a donation, should be acknowledged as a debt, and included in the obligation given to the court of France, for money borrowed, and assigned as a reason that this country ought not to lay under any obligation to any foreign power for money given.

1. This essay, a continuation of an essay by “Sidney” published in the *Albany Gazette* of 21 February (Mfm:N.Y. 173), probably appeared in the no longer extant issue of 28 February of that newspaper. The essay has been transcribed from the 11 March issue of the Poughkeepsie *Country Journal*, which reprinted it under the heading “From the ALBANY GAZETTE.” (The *Country Journal* was the only newspaper to reprint “Sidney.”) Abraham Yates, Jr.’s, draft of the essay is in his papers at the New York Public Library. For significant differences between the newspaper version of the essay and the manuscript draft, see notes 2–5 (below).

2. In the manuscript draft, Yates crossed out the incorrect “legislative powers” and replaced it with “Judicial Authorities.”

3. In the draft, the correct word “requested,” not “required,” appears.

4. At this point in the draft, the following words appear: “*and to Conceal the Mastery of inequity.*”

5. The words “people of the States” replaced “Constitution” which appears in the draft.

180. Hugh Hughes's Draft of "Expositor" II, That Appeared in the New York Journal, 28 February 1788¹

◆ To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>

1. MS, Hughes Papers, DLC.

181. Winchester Virginia Gazette, 29 February 1788

The State of New-York hath agreed on the 3d Tuesday of April for the choice of Deligate for the same purpose, and the Convention to meet on the *Seventeenth* of *June*;—a day ever memorable to America, by the defeat and slaughter of a large body of the flower of the British army, on Bunker's-Hill.—May the decisions of that assembly not tarnish the famed period, but add to its lustre, by the adoption of the Federal Constitution.

182. Henry Livingston to Stephen Van Renssalaer Livingston Manor, Columbia County, N.Y., 1 March 1788¹

You will permit me to address you on a Subject that I flatter myself with, be to our mutual Advantage—

at the insuing Election our County will claim of right, sending the Senator and I fear a division will take place, as to the person, I learn that two Gentlemen, are held up as Candidates already—Should our friends in Albany, support either of those Gentlemen with their Interest, it will insure his Election.

But Sir how far either of them will Support your Senator from Albany the next Year, I am not so sure of, for I apprehend, that their Interest in this County in a great measure will be amongst that Class of Men, who have ever resisted the Election of a Senator, from our party of your City—On the Contarary should your Interest in your County & your great Influence in Montgomery, be exerted in favor of a Senator from your Natural Interest in this County, it will go far to secure you the next year, & so be a reciprocal advantage, to our mutual Interest, and at the same time give strength to Federal measures.

I wish you to spare a Moment to consider of this, and give me your Sentiments on the Subject—

I write this in Confidence & I pray you to keep it so—

1. RC, Accession No. 36, N.

183. Giles Hickory New York American Magazine, 1 March 1788¹

GOVERNMENT

The constitution of Virginia, like that of Connecticut, stands on the true principles of a Republican Representative Government. It is not shackled with a Bill of Rights, and every part of it, is at any time, alterable by an ordinary legislature. When I say *every part* of the constitution is alterable, I would except the right of

elections, for the representatives have not power to prolong the period of their own delegation. This is not numbered among the rights of legislation, and deserves a separate consideration. This right is not vested in the legislature—it is in the people at large—it cannot be alienated without changing the form of government. Nay the right of election is not only the *basis*, but the *whole frame* or essence of a republican constitution—it is not merely *one*, but it is the *only* legislative or constitutional act, which the people at large can with propriety exercise.

The simple principle for which I contend is this—“That in a representative democracy, the delegates chosen for legislators ought, at all times, to be competent to every possible act of legislation *under that form of government*; but not to *change that form*. [”] Besides it is contrary to all our ideas of *deputation* or *agency for others*, that the person acting should have the power of extending the period of agency beyond the time specified in his commission. The representative of a people is, as to his powers, in the situation of an Attorney, whose letters commission him to do every thing which his constituent could do, where he on the spot; but for a limited time only. At the expiration of that time his powers cease; and a representative has no more right to extend that period, than a plenipotentiary has to renew his commission. The British Parliament, by prolonging the period of their existence from one to three, and from three to seven years, committed an unjust act—an act however which has been confirmed by the acquiescence of the nation, and thus received the highest constitutional sanction. I am sensible that the Americans are much concerned for the liberties of the British nation; and the act for making Parliaments septennial is often mentioned as an arbitrary oppressive act, destructive of English liberty.^(a) The English are doubtless obliged to us for our tender concern for their happiness—yet for myself I entertain no such ideas—The English have generally understood and advocated their rights as well as any nation, and I am confident that the nation enjoys as much happiness and freedom, and much more tranquility, under septennial Parliaments, than they would with annual elections. Corruption to obtain offices will ever attend wealth; it is generated with it—grows up with it—and will, always fill a country with violent factions and illegal practices. Such are the habits of the people, that money will have a principal influence in carrying elections; and such vast sums are necessary for the purpose, that if elections were annual, none but a few of the wealthiest men could defray the expense—the land-holders of moderate estates would not offer themselves as candidates—and thus in fact annual elections, with the present habits of the people, would actually diminish the influence of the commons, by throwing the advantage into the hands of a corrupt ministry; and a few overgrown nabobs. Before annual elections would be a blessing to the English, their habits must be changed—but this cannot be effected by human force. I wish my countrymen would believe that other nations understand and can guard their privileges, without any lamentable outcries from this side of the Atlantic. Government will always take its complexion from the habits of the people—habits are continually changing from age to age—a body of legislators taken from the people, will generally represent these habits at the time when they are chosen—hence these two im-

portant conclusions, 1st That a legislative body should be frequently renewed, and always taken from the people—2d That a government which is perpetual, or incapable of being accommodated to every change of national habits, must in time become a *bad* government.

With this view of the subject, I cannot suppress my surprise at the reasoning of Mr. Jefferson on this very point.^(b) He considers it as a defect in the constitution of Virginia, that *it can be altered by an ordinary legislature*. He observes that the Convention which framed the present Constitution of that State, “received no powers in their creation which were not given to every legislature before and since. So far and no farther authorised, they organized the government by the ordinance entitled Constitution or form of government. It pretends to no higher authority than the other ordinances of the same session; it does not say, that it shall be perpetual; that it shall be unalterable by other legislatures; that it shall be transcendent above the powers of those, who they knew would have equal powers with themselves.”

But suppose the framers of this ordinance had said, that it should be *perpetual* and *unalterable*; such a declaration would have been void. Nay altho the people themselves had individually and unanimously declared the ordinance perpetual, the declaration would have been invalid. One Assembly cannot pass an act, binding upon a subsequent Assembly of equal authority;^(c) and the people in 1776 had no authority, and consequently could delegate none, to pass a single act which the people in 1777 could not repeal and annul. And Mr. Jefferson himself, in the very next sentence, assigns a reason, which is an unanswerable argument in favor of my position, and complete refutation of his own. These are his words. “Not only the silence of the instrument is a proof they thought it would be alterable, but their own practice, also: for this very convention, meeting as a House of Delegates in General Assembly with the new Senate in the autumn of that year, passed acts of Assembly in contradiction to their ordinance of government; and *every Assembly from that time to this has done the same.*”

Did Mr. Jefferson reflect upon the inference that would be justly drawn from these facts? Did he not consider that he was furnishing his opponents with the most effectual weapons against himself? The acts passed by *every subsequent Assembly in contradiction to the first ordinance*, prove that all the Assemblies were *fallible* men; and consequently not competent to make *perpetual Constitutions* for future generations. To give Mr. Jefferson, and the other advocates for *unchangeable Constitutions*, the fullest latitude in their argument, I will suppose every freeman in Virginia could have been assembled to deliberate upon a form of government, and that the present form, or even one more perfect, had been the result of their Councils—and that they had declared it unalterable. What would have been the consequence? Experience would probably have discovered, what is the fact—and what forever will be the case—that *Conventions* are not possessed of *infinite wisdom*—that the wisest men cannot devise a perfect system of government. Suppose then that after all this solemn national transaction, and a formal declaration that their proceedings should be unalterable, a single article of the constitution should be found to interfere with some national benefit—some material advantage; where would be the power to change or reform that article?

In the same general Assembly of all the people, and in no other body. But must a State be put to this inconvenience, to find a remedy for every defect of constitution?

Suppose, however, the *Convention* had been empowered to declare the form of government *unalterable*: What would have been the consequence? Mr. Jefferson himself has related the consequence. Every succeeding Assembly has found errors or defects in that frame of government, and has happily applied a remedy. But had not every Legislature had power to make these alterations, Virginia must have gone thro the farce and the trouble of calling an *extraordinary* Legislature, to do that which an *ordinary* Legislature could do just as well, in their annual session; or those errors must have remained in the constitution, to the injury of the State.

The whole argument for bills of rights and unalterable constitutions rests on two suppositions, viz. that the Convention which frames the government, is *infallible*; and that future Legislatures will be *less honest—less wise—and less attentive to the interest of the State*, than a present Convention: The first supposition is *always false*, and the last is *generally* so. A declaration of perpetuity, annexed to a form of government, implies a supposition of *perfect wisdom and probity* in the framers; which is both arrogant and impudent—and it implies a supposed power in them, to abridge the power of a succeeding Convention and of the future state or body of people. The last supposition is, in every possible instance of legislation, *false*; and an attempt to exercise such a power, a high handed act of tyranny. But setting aside the argument, grounded on a want of power in one Assembly to abridge the power of another, what occasion have we to be so jealous of future Legislatures? Why should we be so anxious to guard the future rights of a nation? Why should we not distrust the people and the Representatives of the present age, as well as those of future ages, in whose acts we have not the smallest interest? For my part, I believe that the people and their Representatives, two or three centuries hence, will be as honest, as wise, as faithful to themselves, and will understand their rights as well, and be as able to defend them, as the people are at this period. The contrary supposition is absurd.

I know it is said that other nations have lost their liberties by the ambitious designs of their rulers, and we may do the same. The experience of other nations furnishes the ground of all the arguments used in favor of an unalterable constitution. The advocates seem determined that posterity shall not lose their liberty, even if they should be willing and desirous to surrender it. If a few declarations on parchment will secure a single blessing to posterity, which they would otherwise lose, I resign the argument and will receive a thousand declarations. Yet so thoroughly convinced am I of the opposite tendency and effect of such unalterable declarations, that, were it possible to render them valid, I should deem every article an infringement of civil and political liberty. I should consider every article as a restriction which might impose some duty which in time might cease to be useful and necessary, while the obligation of performing it might remain; or which in its operation might prove pernicious, by producing effects which were not expected, and could not be foreseen. There is no one single right, no privilege which is commonly deemed fundamental, which may not, by an unalterable establishment, preclude some amendment, some improvement

in the future administration of government. And unless the advocates for unalterable constitutions of government, can prevent all changes in the wants, the inclinations, the habits and the circumstances of people, they will find it difficult, even with all their declarations of unalterable rights, to prevent changes in government. A paper-declaration is a very feeble barrier against the force of national habits, and inclinations.

The loss of liberty, as it is called, in the kingdoms of Europe, has, in several instances, been a mere change of government, effected by a change of habits, and in some instances this change has been favorable to liberty. The government of Denmark was changed from a mixed form, like that of England, to an absolute monarchy, by a solemn deliberate act of the people, or States. Was this a loss of liberty? So far from it, that the change removed the oppressions of faction, restored liberty to the subject and tranquility to the kingdom. The change was a blessing to the people. It indeed lodged a power in the Prince to dispose of life and property; but at the same time it lodged in him a *power to defend both*—a power which before was lodged *no where*—and it is infinitely better that such a power should be vested in a *single hand*, than that it should *not exist at all*. The monarchy of France has grown out of a number of petty States and lordships; yet it is a fact, proved by history and experience, that the subjects of that kingdom have acquired liberty, peace and happiness in proportion to the diminution of the powers of the petty sovereignties, and the extension of the prerogatives of the Monarch. It is said that Spain lost her liberties under the reign of Charles Vth; but I question the truth of the assertion; it is probable that the subject has gained as much by an abridgement of the powers of the nobility, as he lost by an annihilation of the Cortez. The United Netherlands fought with more bravery and perseverance to preserve their rights, than any other people, since the days of Leonidas; and yet no sooner established a government, so jealously guarded as to defeat its own designs, and prevent the good effects of government, than they neglected its principles—the freemen resigned the privilege of election, and committed their liberties to a rich aristocracy.

There was no compulsion—no external force in producing this revolution; but the form of government, which had been established on paper, and solemnly ratified, was not suited to the genius of the subjects. The burghers had a right of electing their rulers; but they voluntarily neglected it; and a *bill of rights*, a *perpetual constitution* on parchment guaranteeing that right, was a useless form of words, because opposed to the temper of the people. The government assumed a complexion, more correspondent to their habits, and tho in theory no constitution is more cautiously guarded against an infringement of popular privileges, yet in practice it is a real aristocracy.

The progress of government in England has been the reverse—The people have been gaining freedom by intrenching upon the powers of the nobles and the royal prerogatives. These changes in government do not proceed from *bills of rights*, *unalterable forms* and *perpetual establishments*—liberty is never secured by such paper declarations; nor lost for want of them.—The truth is Government originates in necessity, and takes its form and structure from the genius and habits of the people; and if on paper a form is not accommodated to those

habits, it will assume a new form, in spite of all the formal sanctions of the supreme authority of a State. Were the monarchy of France to be dissolved, and the wisest system of republican government ever invented, solemnly declared, by the King and his council, to be the constitution of the kingdom; the people, with their present habits, would refuse to receive it; and resign their privileges to their beloved sovereign. But so opposite are the habits of the Americans, that an attempt to erect a monarchy or an aristocracy over the United States, would expose the authors to the loss of their heads.^(d) The truth is, the people of Europe, since they became civilized, have, in no kingdom, possessed the true principles of liberty. They could not therefore lose what they never possessed. There has been, from time immemorial, some rights of government—some prerogatives vested in some man or body of men, independent of the suffrages of the body of the subjects. This circumstance distinguishes the governments of Europe and of all the world, from those of America. There has been in the free nations of Europe an incessant struggle between freedom or national rights, and hereditary prerogatives. The contest has ended variously in different kingdoms; but generally in depressing the power of the nobility; ascertaining and limiting the prerogatives of the crown, and extending the privileges of the people. The Americans have seen the records of their struggles; and without considering that the objects of the contest *do not exist in this country*; they are laboring to guard rights which there is no party to attack. They are as jealous of their rights, as if there existed here a King's prerogatives or the powers of nobles, independent of their own will and choice, and ever eager to swallow up their liberties. But there is *no man* in America, who claims any rights but what are common to *every man*—there is no man who has an interest invading popular privileges, because his attempt to curtail another's rights, would expose his own to the same abridgement. The jealousy of people in this country has no proper object against which it can rationally arm them—it is therefore directed *against themselves*, or against an invasion which they *imagine* may happen in future ages. The contest for *perpetual bills of rights* against a future tyranny, resembles Don Quixotes fighting windmills; and I never can reflect on the declamation about an *unalterable constitution* to guard certain rights, without wishing to add another article, as necessary as those that are generally mentioned; viz, "that no future Convention or Legislature shall cut their own throats, or those of their constituents." While the habits of the Americans remain as they are, the people will choose their Legislature from their own body—that Legislature will have an interest inseparable from that of the people—and therefore an act to restrain their power in any article of legislation, is as unnecessary as an act to prevent them from committing suicide.

Mr. Jefferson, in answer to those who maintain that the form of government in Virginia is unalterable, because it is called a *constitution*, which, ex vi termini, means an act above the power of the ordinary Legislature, asserts that *constitution*, *statute*, *law* and *ordinance* are synonymous terms and convertible, as they are used by writers on government; *Constitutio dicitur jus quod a principe conditur. Constitutum, quod ab imperatoribus rescriptum statutumve est. Statutum, idem quod lex.*^(e) Here the words *constitution*, *statute* and *law* are defined by each other—They were used as convertible terms by all former writers whether Ro-

man or British; and before the terms of the civil law were introduced, our Saxon ancestors used the correspondent English words, *bid* and *set*^(f) From hence he concludes that no inference can be drawn from the meaning of the word, that a *constitution* has a higher authority than a law or statute. This conclusion of Mr. Jefferson is just.

He quotes Lord Coke also to prove that any Parliament can abridge, suspend or qualify the acts of a preceding Parliament. It is a maxim in their laws, that “*Leges posteriores priores contrarias abrogant.*” After having fully proved that *constitution*, *statute*, *law* and *ordinance* are words of similar import, and that the constitution of Virginia is at any time alterable by the ordinary Legislature, he proceeds to prove the danger to which the rights of the people are exposed for want of an *unalterable form of government*. The first proof of this danger he mentions, is, the power which the Assembly exercises of determining its own quorum. The British Parliament fixes its own quorum.—The former Assemblies of Virginia did the same. During the war the Legislature determined that *forty* members should be a quorum to proceed to business, altho not a fourth part of the whole house. The danger of delay, it was judged, would warrant the measure. This precedent, our writer supposes, is subversive of the principles of the government, and dangerous to liberty.

It is a dictate of natural law that a *majority should govern*; and the principle is universally received and established in all societies, where no other mode has been arbitrarily fixed. This natural right cannot be alienated *in perpetuum*; for altho a Legislature, or even the body of the people may resign the powers of government to forty or to four men, when they please, yet they may likewise resume them at pleasure.

The people may, if they please, create a dictator on an emergency in war, but his creation would not *destroy*, but merely *suspend* the natural right of the *Lex majoris partis*. Thus forty members, a Minority of the Legislature of Virginia, were empowered during a dangerous invasion, to legislate for the State; but any subsequent Assembly might have divested them of that power. During the operation of the law, vesting them with this power, their acts were binding upon the State; because their power was derived from the general sense of the State—it was actually derived from a legal majority. But that majority could, at any moment, resume the power and practice on their natural right.

It is a standing law of Connecticut that forty men should be a quorum of the House of Representatives, which consists of about 170 members. The date of this law, I cannot find; but presume it must have existed for half a century; and I am confident that it never excited a murmur, or a suspicion that the liberties of the people were in danger, Yet this law creates an oligarchy; it is an infringement of natural right; it subjects the State to the possibility, and even the probability of being governed at times by a minority. The acquiescence of the State, in the existence of the law, gives validity, and even the sanction of a majority, to the acts of that minority; but the majority may at any time resume their natural right, and make the assent of more than half of the members, necessary to give validity to their determinations.

The danger therefore arising from a power in the Assembly to determine their own quorum, is merely ideal; for no law can be perpetual—the authority of a majority of the people or of their Representatives, is always competent to repeal any act that it found unjust or inconvenient. The acquiescence however of the people of the States mentioned, and that in one of them for a long course of years, under an oligarchy; or their submission to the power of a minority, is an incontestible proof of what I have before observed, that *theories* and *forms of government* are *empty things*—that the spirit of a government springs immediately from the temper of the people—and the exercise of it will generally take its tone from their feelings. It proves likewise that a *union of interests* between the rulers and the people, which union will always co-exist with free elections, is not only the *best*, but the *only* security for their liberties which they can wish for and demand. The government of Connecticut is a solid proof of these truths. The Assembly of that State have always had power to abolish trial by jury, to restrain the liberty of the press, to suspend the habeas corpus act, to maintain a standing army, in short to command every engine of despotism; yet by some means or other it happens that the rights of the people are not invaded, and the subjects have generally been better satisfied with the laws, than the people of any other State. The reason is, the Legislature is a part of the people, and has the *same interest*. If a law should prove bad, the Legislature can repeal it; but in the *unalterable* bills of rights in some of the States, if an article would prove wrong and oppressive, an ordinary Legislature cannot repeal or amend it; and the State will hardly think of calling a special convention for so trifling a purpose. In a future paper,² I shall take notice of some articles, in several of the State constitutions, which are glaring infractions of the first rights of freemen; yet they affect not a majority of the community, and centuries may elapse before the evil can be redressed, and a respectable class of men restored to the enjoyment of their rights.

To prove the want of an *unalterable constitution* in Virginia, Mr. Jefferson informs us that in 1776, during the distressed circumstances of the State, a proposition was made in the House of Delegates to create a Dictator, invested with every power, legislative, executive and judicial civil and military. In June, 1781, under a great calamity, the proposition was repeated, and was near being passed. By the warmth he discovers in reprobating this proposal, one must suppose that the creation of a Dictator even for a few months, would have buried every remain of freedom. Yet he seems to allow that the step would have been justified, had there existed an *irresistible necessity*.

Altho it is possible that a case may happen in which the creation of a Dictator might be the only resort to save life, liberty, property, and the State, as it happened in Rome more than once; yet I should dread his power as much as any man, were I not convinced that the same men that appointed him, could, in a moment; strip him of his tremendous authority. A Dictator, with an army superior to the strength of the State, would be a despot; but Mr. Jefferson's fears seem grounded on the authority derived from the Legislature. A concession of power from the Legislature, or the people, is a voluntary suspension of a natural *unalienable* right; and is resumeable at the expiration of the period specified, or

the moment it is abused. A State can never alienate a *natural right*—for it cannot legislate for those who are not in existence. It may consent to suspend that right for great and temporary purposes; but were every freeman in Virginia to assent to the creation of a *perpetual Dictator*, the act in itself would be void. The expedient of creating a Dictator is dangerous, and no free people would willingly resort to it—but there may be times when this expedient is necessary to save a State from ruin, and when every man in a State would cheerfully give his suffrage for adopting it. At the same time, a temporary investiture of unlimited powers in one man, may be abused—it may be an influential precedent—and the continuance of it may furnish the dictator with the means of perpetuating his office. The distress of a people must be extreme, before a serious thought of a Dictator can be justifiable. But the people who create, can annihilate a Dictator; their right to govern themselves cannot be resigned by any act whatever, altho extreme cases may vindicate them in suspending the exercise of it. Even prescription cannot exist against this right; and every nation in Europe has a natural right to depose its King and take the government into its own hands.

(a) The septennial act was judged the only guard against a popish reign, and therefore highly popular.

(b) Notes on Virginia, page 197. Lond. Edit. Query 13.

(c) Contracts, where a Legislature is a party, are excepted.

(d) Some jealous people ignorantly call the proposed Constitution of Federal Government an *aristocracy*. If such men are honest their ignorance deserves pity—There is not a feature in the Constitution—The whole frame of Government is a pure Representative Republic.

(e) *Calvini Lexicon Juridicum*.

(f) See Laws of the Saxon Kings.

1. Printed in the February issue of the magazine. Noah Webster was the author of this essay. For an earlier essay by “Giles Hickory,” see BoR, II, 226–30.

2. See “Giles Hickory,” *New York Magazine*, 1 April 1788 (Mfm:N.Y. 214).

184. Abraham G. Lansing to Abraham Yates, Jr.

2 March 1788¹

Inclosed is Copy of a Letter sent by this Stage to New York.—Our Friends here are so exasperated against [Charles] Webster, and under such apprehension that he will deceive us when his services should be most wanted, that every Argument my Brother and myself could advance it was determined to renew the attempt to procure a printer.—his honor Judge Yates having suggested when here that, a printer could be had on application, this Copy is sent you to be shewn to him—and, to other Gentlemen in sentiment with us.—in order that you may procure—subscriptions for the paper—or which other aid as the Gentlemen may judge expedient to afford for the accomplishment of our wishes.—it may perhaps be of advantage to send a Letter from Poughkeepsie on the Subject.—in my Subscription—and offers I have held out that whatever pecu-

niary aid was granted by me should be considered—as & for your and my proportion.—*I have subscribed for 6 sets of papers.*—If you think proper you make any additions for the Encouragement of the Business—Peter & my Brother have subscribed for a like Number *each.*—I mention this for your Information—

I received your Letter and the Box of Cyons forwarded by Doctr. Van Ingen— if you see Col. Barber present my respectful Compliments to him—and Tender him my acknowledgements for the [Favors?] he has taken respecting the Cyons.

Susan is still well tho restless and uneasy.—the Family are all well—and desire their respectful Compliments to you—

The inclosed papers contain a Card of my Brother and Metcalfe's answer in yesterdays Journal—My Brother has told me that he purposed, to write to the judge—to request him to apply to the Poughkeepsie Printer for the Author of the Publication against him and the judge—

I am yours affectionately

P.S. I have Just time to Mention to you that I have been Informed that on Friday last a Bill has been brought in for the Abolition of our office I have Wrote to McKesson on the Subject as we had received the Inteligence from him and Desired him to shew the Letter to you we Expect to hear from you by the first Safe opportunity—Your Humble Servt

Henry Oothoudt

1. RC, Abraham Yates, Jr. Papers, NN. The letter was probably written from Albany, Lansing's place of residence. The P.S. was written by Oothoudt.

185. Albany Federal Herald, 3 March 1788¹

By Mr. Greenleaf's paper of the 28th of February we learn, that a respectable number of the inhabitants of the counties of Ulster and Orange, lately assembled at Montgomery, in Ulster County, when Hendrick Smith was appointed Moderator,—and after reading and considering the proposed constitution, the question was stated, whether they would consent to adopt the plan of government, published by the convention—and every one present declared that they WOULD NOT.—And to manifest their disapprobation of the scheme and opinion of its pernicious tendency, they caused the said constitution to be burnt in the most public place in the town, with the usual circumstances of disrespect and contempt.

1. Reprinted four times by 26 March: Vt. (1), Md. (2), Va. (1).

186. Charleston, S.C., City Gazette, 4 March 1788

Yesterday arrived here the New York and Pennsylvania Packet, Capt. Bird, from New York, by which we receive advice that the legislature of that state had agreed to call a convention of the people, to consider the new federal constitution. The legislature have also passed a bill for another emission of paper money.

187. Isaac Roosevelt to Richard Varick
New York, 5 March 1788 (excerpts)¹

I have recd. your Favours of the 26th. & 29th Febry. & am Glad to Hear that you & Maria are Well, The Weather Continuing so Severe I am also much afraid you'll meet with Difficulty to return home when the Legislature Adjourns, as the River may then not yet be open & the Land Either Misery or Very Rough. . . .

We have nothing new at Present: the Issue of the New Hamshire Convention I suppose you have seen in the Publick papers, which is all the Accot. we have of it,

Give my Love to my dear Maria and Accept the same from Yr. Affectionate Father

1. RC, Varick Papers, Catalogued, 1780–1831, NHi.

188. New York Morning Post, 6 March 1788

As o'er COLLUMBIA's peaceful plains,
 CONCORDIA wav'd her golden chains,
 The Patriot Virtues on her wait,
 And link'd in Love, consolidate.
 Each sordid soul skulks from her sight,
 And jarring interests unite.

The sister states resolve to rear
 A temple to the Goddess fair,
 Which elevated o'er the land,
 A splendid monument might stand;
 Informing all posterior times,
 That those thirteen united climes
 In sacred faith, and mutual trust
 Had form'd the UNION firm and just:
 Whose lawful, delegated head
 Affords each friend a shelt'ring shade; }
 And fills each foe with awful dread, }

Yet much disputed was the plan
 On which this edifice should stand;
 Whether by the DORIC order grac'd,
 Or, in the simple TUSCAN taste:
 Wheth'r in the fram'd CORINTHIAN style,
 Or like the ancient GOTHIC pile.
 Those various orders to unite
 Most voted for the COMPOSITE,
 As that whose ornament and strength
 Defy'd old Time's decaying length;
 And spread it's splendid prospects far
 Through smiling peace, or horrid war.
 A MASON there, whose art was shewn

In undertaking PLANS unknown,
 Said, from his skill in architecture,
 Should he be chose the chief projector,
 He'd so cement the might mass,
 As ev'ry fabric to surpass,
 Which either GREEK or ROMAN art,
 Had e'er produc'd in any part;
 That CONCORD there should live alone,
 Nor other mansion ever own.

* * * * *
 * * * * *

All such important, high pretensions
 Weigh well, ye ensu'ng state conventions?
 Which should you find or just, or wise,
 Smooth'd o'er by no deceitful guise;
 But wholesome, virtuous, and true,
 From you they claim attention due.
 But selfish should they prove, or vain,
 Subverting CONCORD's sacred sane,
 Diffusing anarchy and strife,
 Those baneful pests of social life;
 Reject the whole impious band,
 Ere DISCORD curse the guilty land.

189. New York Journal, 7 March 1788

This item reprints two pieces from the *Albany Gazette*, 28 February, and *Albany Journal*, 1 March, concerning the dispute between John Lansing, Jr., and George Metcalf over the writing of "A Citizen" (RCS:N.Y., 830–33). It also appeared in the *New York Morning Post*, 7 March, and was reprinted in the *New York Independent Journal*, 8 March, and *New York Daily Advertiser*, 10 March.

◆ To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>

190. Samuel Blachley Webb to Joseph Barrell New York, 9 March 1788 (excerpt)¹

. . . O New-Hampshire, you have (perhaps unintentionally) done us much injury.—Anti-federalists lift their heads,—had they adjourned only to April it would not have been much—but they will now be in the rear of several States, whom we fear will pattern after them.—This City is true—but the Country wants mending;—we are busy—so are the Anti's. . . .

1. Printed: James W. Webb, ed., *Reminiscences of Gen'l Samuel B. Webb* . . . (New York, 1882), 143.

**191. James Kent to Nathaniel Lawrence
10 March 1788 (excerpt)¹**

. . . You mentioned to me some time ago for some political pieces you were informed I wrote—I have wrote nothing that I think is worthy to send & you must excuse me & I have another Objection for knowing that you think differently & on a Subject pretty much engaging to the public Affections you would I fear be carried before you could recollect yourself, to an habitual Criticism much beyond what any of my Compositions would bear. they I am persuaded require not the hostile Eye of an opposite Politician but the partial allowances of a friend who has all the Indulgence arising from being enlisted on the same side.

1. RC, James T. Mitchell Autograph Collection, PHI.

192. Poughkeepsie Country Journal, 11 March 1788

The Printer presents his Compliments to his Customers, and informs them he expects in a short time to have an entire new set of Printing materials, and probably will enlarge his paper to the size of the largest printed in the State; therefore requests all indebted, however small their accounts may be, to make an immediate settlement; and should this notice have its desired effect, he will enlarge the size of his paper as soon as a supply of paper can be obtained for the purpose. He acknowledges the many favors he has received, and flatters himself his impartiality in his publications, will give general satisfaction to every unprejudiced reader.

CASH, Wheat, Rye, Indian Corn, Oats, Buckwheat, Butter, &c. will be received by the Printer in payment for his debts. A few pounds of good Flax will be very acceptable at present.

☞ The Printer will thank a Young Man of this place who often calls at his Office to amuse himself in reading (and who has endeavoured to discover the author of a piece of manuscript copy there seen by him) if he will in future show a little more politeness, and not attempt to examine into the affairs of the Printing Office.

**193 A–C. The Challenge to Thomas Greenleaf’s Credibility Respecting His
Publication of Arthur Lee’s Report on the State of Virginia Antifederalism
10–29 March 1788**

On 7 March the Philadelphia *Independent Gazetteer*, in a widely reprinted article, reported that “We hear, that on Monday last passed thro’ this city, on his way from Virginia to New-York, the honorable *Arthur Lee*; this gentleman informs, that four-fifths of the people of Virginia are opposed to the new constitution: and that so far from there being any chance of its adoption by that state, that there is great fear they will not allow the necessary additional powers to congress, because they have been so much alarmed by the present conspiracy against their liberties. The same

gentleman says, so great a game of deception is carrying on there; that it is generally believed all opposition is at an end in Pennsylvania and elsewhere.”

In New York, this item concerning Arthur Lee—a member of the three-member Confederation Board of Treasury in New York City—was reprinted verbatim in the *New York Morning Post*, 10 March; *New York Packet*, 11 March; and *Independent Journal*, 12 March. Thomas Greenleaf, in his *New York Journal* of 11 March, printed a slightly different version of the Philadelphia *Independent Gazetteer*'s report. He neglected to note that the report originated in Philadelphia, and he printed the item under a New York dateline. Nor did he mention Arthur Lee, but only a “gentleman of distinction.”

On 11 March the *New York Morning Post* ran this denial concerning the *Gazetteer*'s report: “The Printer is requested to undeceive the public relative to the intelligence from Virginia, said to have been brought to Philadelphia by the Honourable A. Lee; that gentleman not having given, nor authorised any such intelligence to be given.” (When the Philadelphia *Independent Gazetteer* reprinted the *Morning Post*'s denial on 17 March, it added these words at the end, “although it happens to be true.”) On 11 March the *Daily Advertiser*, which had not even reprinted the *Gazetteer*'s report, also printed the same denial as in the *Morning Post*. On the same day another denial was published in the *New York Packet* and *New York Journal* immediately below the *Gazetteer*'s report. This denial reads: “We are requested to assure the public, that the above intelligence from Virginia, said to have been brought to Philadelphia, by the Hon. Arthur Lee, is *destitute of truth*; that gentleman not having given, nor authorized such information to be given.” (The *Independent Journal* reprinted this denial on 12 March, also immediately below the *Gazetteer*'s report.)

By revising the *Gazetteer*'s report, Thomas Greenleaf had made it less than obvious that his denial was repudiating the report. Writing for the *New York Post* on 13 March, “W” demonstrated, by quoting and analyzing both the *Gazetteer*'s and the denial as printed by Greenleaf, how Greenleaf had intentionally deceived his readers for partisan purposes. “W” warned Greenleaf “that LOW CUNNING has been the beginning of many a man's career to the *Gallows*.” The next day Greenleaf defended himself by explaining that he had intended to omit the *Gazetteer*'s report entirely and publish only the denial, but that the report was printed “*inadvertently*.” Greenleaf labeled “W's” charge as “too contemptible to be despised.”

On 29 March “Dick a Dick,” writing in the *New York Journal*, criticized Arthur Lee for not having openly denied the *Gazetteer*'s report, thereby causing certain printers to be dishonored. “Dick a Dick” concluded his attack by stating that “Thus far, I will venture to assert, that the manuscript was handed to the press by one of your most *intimate* friends, and until you come forward yourself, and declare it to be false, every candid inquirer will view it as an established fact, and that you have on this occasion played the part of a *Janus*.” Francis Child, the editor of the *Daily Advertiser*, when criticizing some of Greenleaf's publishing practices included this one involving Arthur Lee. Child declared that “the standing rule of his [Greenleaf's] conduct was to shuffle, and to evade” (*Daily Advertiser*, 6 May, Mfm:N.Y. 266-E, pp. 258–60.”).

In a private letter written from New York City on 31 March, Arthur Lee had this to say on the situation in Virginia: “By the returns of Delegates hitherto elected [to the Virginia Convention], I think you have a 5 or 6 Majority for the Constitution”

(to Federalist Charles Lee, RCS:Va., 522). (For the reaction to the Philadelphia *Independent Gazetteer's* report outside New York, see the headnote to CC:602.)

193-A. "W."

New York Morning Post, 13 March

Mr. MORTON, It is a bad sign when Printers and their correspondents are obliged to use the mean arts of deception to fill their papers, or support their cause. This has been so common a practice of late, that people are often at a loss to know what credit may be given to newspaper paragraphs, and you may frequently hear them enquiring, "Did you see such a paragraph in ——'s paper? What do you think of it? Can it be true?" Thus the public mind is kept in a state of suspence—the original design of newspapers is destroyed—falshoods are propagated instead of authentic and useful information—and whatever the Printer himself may think of it at the time, as soon as the public find that he is the drudge of a party, and that his paper is prostituted, they will make him feel the effects of their resentment, and silence his press by their neglect. I have been led into these reflections by a publication in Mr. *Greenleaf's* paper of this date, in which he says, under the New-York head, "It is asserted for fact by a gentleman of distinction, that four fifths of the people in Virginia are opposed to the new constitution, and that so far from there being any chance of its adoption by that state, that there is great fear they will not allow the necessary additional powers to Congress, because they have been so much alarmed by the present conspiracy against their liberties. The same gentleman says, so great a game of deception is carrying on there, that it is generally believed all opposition is at an end in Pennsylvania, and elsewhere."—Immediately afterwards we find the following paragraph, to which an ¶ calls for particular attention.—"The Printers are requested to undeceive the public, relative to the intelligence from Virginia, said to have been brought to Philadelphia by the Hon. A. Lee, inserted in Mr. Morton's yesterday's paper; that gentleman not having given, nor authorised any such intelligence to be given."—Upon looking at your paper I found, "the intelligence from Virginia said to have been brought to Philadelphia by the Honorable A. Lee," relative to which the public were to be "*undeceived*," under the Philadelphia head; and was astonished upon observing that it was the same, word for word, with what Mr. *Greenleaf* told us in the preceeding paragraph was "asserted for fact by a gentleman of distinction." From the identity of the intelligence there can be no doubt that "the Honorable A. Lee" is the "gentleman of distinction" alluded to; so that Mr. *Greenleaf*, with a degree of politeness peculiar to himself, has made that gentleman assert palpable contradictions "for facts."—Perhaps this was not his intention, and, indeed, I am rather inclined to think he supposed that his readers either would not have an opportunity of referring to your paper for the intelligence from Virginia, or would not take that trouble; in either of which cases, the "game of deception *he* was carrying on" would be undiscovered. It is evident that *he intended to deceive his readers*, otherwise, why did he insert under the *New-York* head (as an article of intelligence originating there) the infamous falsehoods published in a Philadelphia paper;—and that, after he knew that the gentleman, whom a Philadelphia Printer had impudently

asserted to have brought the intelligence, had denied his having given, or authorised any such information to be given.—Why else did he publish it in such a Jesuitical manner as to lead his readers to suppose, that the assertions of “a gentleman of distinction” were not “the intelligence from Virginia, said to have been brought to Philadelphia by the Honorable A. Lee”? Why else did he refer to *your* yesterday’s paper, as propagating the falsehoods, instead of referring his readers to his own paragraph, immediately preceding? Is this acting with the candor which ought ever to mark the character of a Printer? Is it consistent with the promises of *Impartiality* which Mr. *Greenleaf* made in his Proposals? or with his professed desire, “that the body of the people should be well informed at this most important crisis of the national affairs of this country”? Certainly, no: but, in direct contradiction to all these, he has upon this, as well as many other occasions, shewn himself to be the slave of party, and his “*Patriotic Register*” the vehicle of false information.—He must not expect to be long supported in this way;—when his party fails, he must fail with them;—and it will be well for him to remember, that LOW CUNNING has been the beginning of many a man’s career to the *Gallows*.

March 11, 1788.

193-B. *The Editor*

New York Journal, 14 March

☞ A malicious scribbler, who signs W. in Mr. Morton’s paper of yesterday, ought to have ascertained facts, in his turn, ere, in the language of *party rage*, he presumed to arraign the conduct of the Editor of this paper.

For the satisfaction of the *candid*, the following circumstances, respecting the paragraph in question, are submitted.

On Tuesday the paragraph was discovered in Mr. Morton’s paper: the circumstance of the Honorable A. Lee’s name rendered its authenticity indubitable; and the Editor, conceiving it an important piece of intelligence, immediately directed to have it composed, with the alterations mentioned. An hour after this, the REQUEST, “to undeceive the public, &c.” was received, and directions given in the office to suppress the paragraph, and insert this *request*, with the addition of, “*inserted in Mr. Morton’s yesterday’s paper.*” This addition appeared necessary, as it had not been inserted in any other paper in New-York. Notwithstanding this precaution the paragraph was *inadvertently* made up in the paper; and, being late, it could not be expunged without considerable trouble, and loss of a night’s sleep. In the morning of Wednesday, on looking over the paper, the impropriety appearing more forcible, the Editor sat down and wrote an apology for Friday’s paper (judging it, for many reasons, improper for Thursday’s Weekly Register) purporting the mistake mentioned above, not harbouring an idea of its being construed into an insult upon the understandings of any one.

The littleness of Mr. W. when he says, “it is evident that he intended to deceive his readers,” is too contemptible to be despised, and if he supposes that this is intended as a replication to his dirty performance, he was never more mistaken. The good opinion of the public is *invaluable*, to whom, with respect, this apology is addressed, by THE EDITOR.

193-C. *Dick a Dick*

New York Journal, 29 March¹

TO A. LEE, Esquire.

SIR, A paragraph has appeared in two of the Philadelphia papers, announcing your arrival in that city from Virginia, and at the same time, declaring, as from yourself, that four fifths of the people of the *antient dominion*, were opposed to the new *federal* constitution. This was contradicted in the papers of New-York, exculpating you, and casting the censure on the poor printers who published this intelligence, as if they were responsible for every *lie* and *fabrication* of the different parties, viz. *Feather-als* and *Anti-Featherals*. Now, sir, if you did not mention any thing to justify the information, it is incumbent on you to contradict it, under your own *real* signature, and not suffer an anonymous scribbler to reflect and dishonor the papers of innocent printers. Thus far, I will venture to assert, that the manuscript was handed to the press by one of your most *intimate* friends; and until you come forward yourself, and declare it to be false, every candid inquirer will view it as an established fact, and that you have on this occasion played the part of a *Janus*.

1. Reprinted: Philadelphia *Independent Gazetteer*, 4 April.

194. *New York Journal*, 12 March 1788

☞ AN ADDRESS, “to Mr. C——e, G——e, R——n, H——s, Esqrs. and Capt. W——d, at G——sh——n,” shall be inserted to morrow, agreeably to the request of its author.—A NOMINATION for CANDIDATES, to a seat in the ensuing CONVENTION, by “A FREEMAN,” shall also appear in the *Weekly Register*.

195. Sidney

Albany Gazette, 13 March 1788¹

“The liberal and humane philosopher, the honest benevolence of whose heart, is not corrupted by the crooked politics of princes and their ministers, will feel it overflow with compassion, on surveying the miserable lot of mankind, who are the resistless victims of the ambition and rapacity of a few, by whose iniquitous perversion, the beneficent intention of providence to promote virtue and happiness, is in many instances rendered subservient to the encouragement of vice, and the production of misery.—But, what indignation must arise in his bosom, when he hears that these oppressors consider it as a favor, that they allow their fellow creatures to be plundered by none except themselves, and call on them to be grateful for that protection; in return for which, above half of their substance is extorted from them.”

Preface to Abbe D’Mabley.

Having pointed out the danger, and shewn, that it is neither necessary or proper to adopt the new Constitution, I shall now proceed to enquire, by way of contrast, whether Americans have any good reason, to put more confidence in their rulers, than Europeans. I do not mean to insinuate, that *every* iniquity which

occasioned the ruin of other states is practiced among us; or, that Americans would be worse than others. “Men in general, have ever been agitated by the same kind of restless spirit and tumultuous passions. They have been guilty of the same vices and follies, and liable to the same calamities, from their first original to this day;” and as Montague observes, “as the same causes will, by stated laws of sublunary affairs, sooner or later, invariably produce the same effects; so whenever we see the same maxims of government prevail, the same measures pursued, and the same coincidences of circumstances happen in our country, which brought on, and attended the subversion of those states, we may plainly read our own fate in their catastrophe; unless we apply speedy and effectual remedies before our case is past recovery—it is the best way to learn wisdom, in time, from the fate of others; and if examples will not instruct and make us wiser, I confess myself utterly at a loss to know what will.”

But, although *all* the same causes which contributed to the ruin of other states, do not operate among us, still such do, as perhaps never entered the list of contrivances before, and probably as destructive, as that of the priests of Bell and the Dragon, the South sea and Mississippi Bubbles (it is true the South sea Bubble was voted in the house of Lords—“a villanous artifice; and that the directors, so far as their estates would reach, should make good the losses the company had sustained by their fraudulent management,”) for, although their measures were founded in fraud and iniquity, they had not in view to overset the government.

I suppose, therefore, that it will cast light upon the subject, to look back into the history of former times; where it will be found, that ever since the days of Pharaoh, it has been a principle with tyrants and usurpers, when they conceive themselves in danger of losing, or mean to usurp a power; to distress, distract, and impoverish the people: for (says Montesquieu) “a man poor and impoverished, is in the condition of a man weakened by sickness, who is without passions, because he is without strength.”

In the prosecution whereof, they generally have the rich and overbearing usurpers (perhaps not always with that design) to play into their hands: for in times of distress and calamity, although their objects, like that of the heads of the foxes of Sampson, are in different directions; the concentrating of their tails admit of a motion to obtain the object each had in view; and to such a length was it carried among the children of Israel, and so at Athens, that they were permitted, after all their oppression and extortion, when they had got the spoil of the poor into their possession, to sell the insolvent! Nehemiah redressed the one, Solon the other.

This, however, effects liberty and property only; but, when a crown is the object, life is equally precarious—Cesar resolving “to rule and lord it over all the rest, at any rate, had the verses of Euripides, continually in his mouth, which insinuate, that if the greatest crimes were to be committed, it was when a crown was the motive.” This is also verified in the histories of Abimelech, Jerubaal, Jehu, Ahab, Atheliah, Artaxerxes and Alexander.

It is remarked, that several of the princes of Orange, as well as the earl of Leicester, and the duke of Anjou, have at certain times suffered the enemy to

lay waste^(a) the country in order to induce a belief in the inhabitants, that it would be best to invest them with absolute power: and almost upon every reverse of fortune they complained, that their powers were not sufficient to protect the people.

Against the operation of these dreadful practices the parliamentary power in England, has ever been proof, which has been the occasion of one continued struggle. The kings, on the one hand, from time to time, have bent their whole strength, either in force or fraud, to enervate this parliamentary check; the parliament, on the other; have been, from time to time exceedingly tenacious to guard against these inlets of violence and corruption; and, have embraced every opportunity to recover, or re establish the rights of the people. The parliament in the reign of Edward the third supposed, that the statute then made, would, have effectually prevented the evils they apprehended; but they found their mistake: he pursued the scene of fraud and corruption, the remainder of his reign whilst, he confirmed *MAGNA CHARTA* not less than ten times nor was there ever a law made, or an oath framed, sufficient to prevent it.

In the reign of Charles the second the people were relieved, and a stop was put to an evil that had been of an old standing, and exceeding dangerous: "The king might at his pleasure, encrease the number of members in both houses of parliament, by creating more barons, and bestowing the privilege upon any other towns to send members."

This relief however was not extended to America, for in the reign of James the second, this prerogative was exercised in the colonies; and the privilege annexed not only to towns, and boroughs, but to patents for large tracts of land, some erected into manors, the extent of whose mischief has already been felt on several occasions and their bad tendency will probably be experienced with additional force at present.

(a) Such was the case in the dispute between the government and the assembly of Pennsylvania in the beginning of the late French war: whether Penn's estate, should be taxed in common with others, was the question? The assembly passed a tax bill, to raise money for an army, to defend the frontiers: the governor refused to give his assent, unless the estate of Mr. Penn was exempted from paying taxes (while the frontiers, were laid waste by the Indians) until the earl of Loudon his superior in 1756 ordered him to pass the bill, else it was apprehended that the legislature would have been obliged (like the mother before Solomon) to give up their right, to save the country from destruction.

1. A draft of this essay, dated 13 March and in the handwriting of Abraham Yates, Jr., is in the Yates Papers at the New York Public Library.

196. Albany Gazette, 13 March 1788¹

In the address of the Federal Committee, after the nomination of gentlemen, as candidates for the Convention, is the following clause:—"We are authorised to inform the publick, that the gentlemen nominated for the Convention, are fully impressed with that spirit of amity and conciliation, which has been lately

evinced by the conduct of our sister State of Massachusetts, on the great *national question*; and it is our general wish and expectation, that the new Constitution be adopted as nearly as possible upon the same principles—that is, by ratifying and confirming the Constitution in its present form, and strongly recommending the amendments proposed by that State, as well as any others which may, on a full investigation of this important business, be found requisite.”

The few antifederalists we have amongst us, endeavour to make up for their sparcity, by their indefatigableness. In every part they are unceasing in their exertions:—Like the hags in Macbeth, they are continually dancing round the chaldron of sedition, each throwing in his proportion of spells—singing

Come misrule—come toil—and trouble;
Anarch reign, and discord bubble.

They wish for nothing less, than by dissention to divide the people of this State; that they may see the introduction of these evils, in preference to the blessings of a federal government.

1. This item—originally printed in the no longer extant 13 March issue of the *Albany Gazette*—has been transcribed from the *Massachusetts Centinel* of 2 April, which reprinted it under an “Albany, March 13” dateline. The first paragraph contains text found in a broadside dated 14 March in which the Albany Federal Committee addressed the independent electors of the City and County of Albany (RCS:N.Y., 1368–70n).

197. New York Morning Post, 13 March 1788

A few dark hints attempted in Verse humbly dedicated to the United States of America, by their most obedient and very humble Servant,

The SUBSCRIBER.

Verse 1st.

When times of deep distress prevail,
When troubles rise, resources fail,
Our languid spirits droop;
Some new invention we'll contrive,
That so this land again may thrive,
And raise a glorious hope,

2d.

When prodigality abounds,
In cities and in country towns,
The poor among the rest:—
When *fashions* new from Europe came,
The meanest peasant crav'd the same,
With pomp and strut of dress.

3d.

Now let a *fashion* be produc'd,
That's cheap and easy for their use,
Who thus complain of times:

Then insurrection may subside—
 Each for his household may provide,
 Without committing crimes.

4th.

Let wealthy ladies give their gauze,
 And other superfluous toys,
 To poor deformed hags:
 Then will the girls of smaller merit,
 Be 'sham'd to see those hags inherit,
 A trimming priz'd by nags.

5th.

Let men who love full flowing bowls,
 Forbear to drown immortal souls,
 With liquor so immense:
 And ladies too their tea forbear,
 And live on homely country fare—
 Might save a vast expence.

6th.

If but industry might thrive,
 We soon should store this mighty hive,
 Of these United States;

Let agriculture lead the van,
 And each Mechanic lend a hand,
 To fortify her gates.

7th.

If common people all must fix,
 To bear a part in politicks,
 Confusion will ensue:—

Let each conduct his proper sphere,
 Nor with each other interfere,
 Mind what they have to do.

8th.

If these dark hints were minded well,
 Much might America excell,
 In glory and renown:
 And they might all the world defy,
 To interrupt their liberty,
 While glory shone around.

198. John Rutherford to John Stevens
15 March 1788 (excerpt)¹

. . . I have not received any letters from New York since I saw you but yesterday saw Mr Timothy Hunt at the Court-house who was just from New York He says there is no particular news there of any kind that since the account of Massachusetts having acceded to the new constitution the anticonstitutionalists have

been less violent in their opposition than before and that it is generally believed it will be adopted by all the States. . . .

1. RC, Stevens Family Papers, Stevens Institute of Technology, Hoboken, N.J. The letter was probably written from his estate in Sussex County, N.J., where he moved to from New York City in 1787.

199. Massachusetts Centinel, 15 March 1788

This is a reprinting of material from the last paragraph of "A Friend of Truth," New York *Daily Advertiser*, 4 March (RCS:N.Y., 803–805). The *Centinel's* version was reprinted in *Salem Mercury*, 18 March; Newburyport, Mass., *Essex Journal*, 19 March; *New Hampshire Recorder*, 25 March; and *Newport Herald*, 27 March.

The following is a true account of the much-talked of burning of the Constitution, by the inhabitants of Ulster and Orange counties. A number of persons, who usually frequent such scenes, met at Irish-Town, and after passing the grog freely, it was agreed to chuse a Committee—which was done, of persons *famous* for their *noise* and *ignorance*—who after appointing Hendrick Smith, late, or some time ago, Esq. Moderator, while the other persons present were intent on the *real* business of their meeting, being joined by a few other persons, they in grand procession marched to Ward's bridge, about two hundred yards from the house of Mrs. Hordenbeck, a tavern at that place, with the Constitution on a long pole, carried as some say, by a Serjeant-Major, and some by a constable, followed in procession by fifteen men, out of the number of perhaps one hundred present (who probably would have followed had they been able so to do) where a sheaf of straw was set on fire, and the copy they had *jointly purchased* of the Constitution, was on the firing the straw thrown into the Wallkill; but not satisfied with this supposed mark of contempt (as was asserted) a certain other tavern-keeper, finding considerable money had passed through the hands of his neighbour, informed (either in person or by proxy) that a similar scene the ensuing evening should be acted at his house; but considerably to his disappointment, it was too soon, as they had not got over the *spirit* of the antecedent meeting.

200. Leonard Gansevoort to Peter Gansevoort New York, 18 March 1788¹

Your favor of the 10th. Instant I received Yesterday ~~to~~ Mr. Duyching, if I could have known that you had written to me from Snorch kill as your Letter informs me I should not have made the observation which seems to have excited your sensibility, it did not originate in Anger, I know the less a Person writes the less he is disposed to write, and as you are not necessitated to use your Pen much, I was afraid you might contract a habit which in Time might mature into a total disuse of a Measure which the Almighty has been pleased in his wise providence to dispense to us for the purpose of cultivating the social Virtues and rendering the flames of Friendship of fraternal Affection and the Ties of Duty flowing

from them alive, and not suffer those Ornaments of the Human Mind to be extinguished—the Letter you allude to has never been received or its receipt would long since have been acknowledged—

I am extremely happy to hear that you was in Town when our Father was indisposed & sincerely hope that the supreme disposer of human Events has again restored his Health may he live long as a worthy Example & blessing to his Children to be loved obeyed & caressed by them—

The Business of — stands precisely *in Status quo* as when I last wrote nothing has been done other than in preparing the Minds of the Members, I shall not loose sight of the Object and am happy to say that Coll: Hamilton continues to be a faithful and persevering Friend—

I do not know any Communication that could have been made to me which would have afforded me half the satisfaction & happiness, than, that you had consented to be held in the nomination for Delegates to the Convention, the District of Saratoga being well affected upon this great national Question is a very important piece of intelligence and from their Numbers if properly drawn forth they will have it in their Power to turn the Scale of the Election, give my best Compliments to Coll Van Vighthen, Mr. Neil, Graham, Schuyler[,] Lansing &c. &c. assure them of my Friendship and my best wishes for their success.

My Friends from Albany write me that Coll: Williams of Washington has commenced an Advocate for the Constitution, I fear the federalists will be overpowered in that Quarter unless they should receive some assistance from their Friends in Saratoga, cannot you & others in giving them a helping hand, be assured my Dear Brother your Country calls aloud upon you in her distress for every Exertion it is in your Power to make for relief from her embarrassed situation, and may that God in whose Hands are all Countries principalities and Power reward your Labours—

The Papers you request me to procure & Save for you shall claim my attention to morrow and will inform you in my next of the result of my inquiries—

Politicks in this part of the Country are very favorable, New York, Staten Island, Kings & Suffolk Counties will be unanimously federal, Queens County is somewhat divided but our Friends are very sanguine that they will carry their whole ticket of nomination, the State of Westchester County has called forth your Quondam friend Genl. Courtlandt as out of a Gothic Cloister, and the Air so strongly impregnated with federalism has infused into his nostrils the Aromatic, his whole frame infected with the contagion has called him forth to Action and has transported him from extreme inaction to unceasing exertion, he is making Interest to be returned a Delegate, and from the Influence which his Office as Commissioner of Forfeitures has acquired him and his established reputation for probity and Integrity will doubtless insure him success, how it will go with the Members he is supporting in general is very uncertain, the People have in general a tincture of antifederalism, tho' it is said that six States having already adopted the Constitution stifles in a great Measure the latent sparks, I hope they will not revive and consume its present covering—

To the Southward party runs very high South Carolina & Maryland will certainly adopt the Constitution Virginia & North Carolina are more divided yet from the Letters to their respective Delegates and especially one from Genl. Washington (private) to the president of Congress it seems there is little doubt of its favorable issue.

Foreign News we have none, and as my Sheet leaves only Room to offer my Duty to your Family I must close

Give my Love to Caty & the Children and believe me with the most unfeigned Affection Your loving Brother

1. RC, Gansevoort-Lansing Papers, NN.

201. From William Constable

New York, 19 March 1788 (excerpt)¹

. . . New Hampshires adjourning till June is not so agreeable if it could have been avoided the Friends of the New Constitution are not inactive in this State, We have sanguin hopes of success. . . .

1. FC, Letterbook, 1782–1790, Constable-Pierrepoint Collection, NN.

202. Abigail Adams to John Adams

London, 23 March 1788 (excerpts)¹

My dearest Friend

. . . The packet arrived this week from Newyork and brings an account that Seven States had accepted the Constitution. the Massachusetts convention consisted of 300 & 40 members. it was carried by a Majority of Nineteen Georgia & South Carolina are the two other states of which we had not before any certain accounts. New Hampshire was sitting. Newyork are becomeing more National and mr Duer writes mr Smith. that he may consider the constitution as accepted & begining to operate at the commencement of an other year. Newyork had agreed to call a convention. Thus my dear Friend I think we shall return to our Country at a very important period and with more pleasing prospects opening before her than the turbulent scenes which Massachusetts not long since presented. May wisdom govern her counsels and justice direct her operations. . . .

1. RC, Adams Papers, MHi.

203. Noah Webster Diary

New York, 27 March 1788¹

It is said the inhabitants of the western Counties are Agreed to oppose the new Constitution.—

1. MS, NN.

204. Albany Gazette, 27 March 1788

The only extant issue of this paper is mutilated. See facsimiles 204(1) and 204(2) for two items from that issue.

◆ *To view these documents, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

205. Eboracus**Connecticut New Haven Gazette, 27 March 1788**

When the political Pot boils, the scum rises to the top. OTIS.

In civil society nothing can be more unnatural and eccentric, than to see men of low origin, no family, no property, and little education, enjoying the offices of government, and possessing political influence. There is but one solitary individual in all the civil department of this government, who can claim respect and confidence from the oppressed and humble class of gentlemen. This individual, from a generous motive of patriotism, or some political view of ambition, has condescended to take a subordinate and unprofitable employment in a government with men, whose society he would formerly, and ought now to shun.

When the rump parliament threw the English nation into anarchy, Maltsters, Brewers and Cheesemongers, by factious talents and desperate conduct, rose to civil and military dignities. Their dominion was transient, and hateful to their own party, who could not endure their upstart tyranny, ignorance and insolence. The popular disgust was so inveterate, that the nation rejoiced at the restoration of kingly government, and were impatient to embrace any system of vigorous authority, from men of property, education and family, who had been hunted and oppressed with all the malice of fanaticism and all the low bred rage of party, by the civil and military *Joiners* and *Upholsterers*.

Social necessity produced government, and now obligates the sensible part of a community to bear its painful authority. The pride of man often makes him hate the governors and rulers while thro' his fears, love of property, and quiet, he respects the government. This feeling, in the breasts of educated gentlemen, is poignant and acute, when they suffer all the insolence of office from those who were the dregs of society. Our toleration of the political evils of government is mitigated, when independent gentlemen wield, with all the liberality of education, the sceptre of government. It is not Mob valour, nor Beer-house harangues, nor that idle patriotism which hates manual and mechanical labour, which qualifies for the arduous duties of civil government.—A liberal and political education,—a respect for religion, free from all the grimace and the zeal of religious party,—a moral purity, and chastity of *conjugal manners*, which can resist the smiles of the harlot,—a property clear and free from debts and mortgages,—(for an idler, which loquacious talents, will pursue patriotism because it procures him his grog at the expence of the patriotic committee)—are qual-

ities and circumstances which should be attended to in those who are to rule and govern.

Education spreads its benign influence on government, and gives every country in which it is rewarded a new aspect.—There deserts smile with harvests, and the wilderness blossoms like the rose. The general mind, understanding and education of the rulers may be immediately conceived from the spirit of the government. Where religious ignorance prevails, ecclesiastical tyranny is fixed upon the gloomy mind, enslaved by superstition, and we may swear there exists in that wretched country the baneful influence of the clergy.—When Philosophy gives way to the sword, agriculture, the arts, commerce, and legislation are neglected, and we may conclude that the prince, court, and the nation are mad with the military passion. Where the fine arts prevail, a picture, a statue and an opera engage attention, and the nation has not a warrior, we may infer that the Cardinals, Senators, and Nobles, are all *dillitanti* and *fiddlers*. Where commerce prevails, avarice sinks national dignity, and the savage, murderous, and uncivilized rage of party is called patriotism and spirit, and the presumption is, that these venal, avaricious and mercantile Burgomasters may sell their country for foreign *Louis d'Ors*. In this state, government has lost its dignity, and is the jest of the witty,—the grief of the sensible,—the contempt of the honest, and the terror and bugbear of all men of property. A political observer may be convinced without an appeal to facts, that this state is governed by a low oligarchy, composed of men whose contracted minds have never been fashioned by education or liberal society. Some may say that I exaggerate the advantages of education, and that many men have distinguished themselves in political science merely by the force of native genius.—There are a few such in the history of the world, and there are a few spots of land which produce grain and fruit spontaneously; but how many acres, comparatively speaking, will yield no harvest without the assiduous hand of the cultivator?

Independent property is essentially necessary in those who are to govern, because they will feel a greater interest in the welfare of the vessel of state, when all their fortune is on board, than the sailors who only receive wages, and whose desperate poverty may excite them to rise and commit piracy. Those men who resisted a tyrant, and risked an independent estate, must receive more praise from the philosopher, who analyses the motives of the mind, than the beggared sons of faction, who by the happy anarchy of a civil revolution, often preserve that personal liberty, which is forfeited to the creditor, at whose expence they advance their desperate fortunes.

Must the heroes of the mob go unrewarded? say some.—No,—if they have lost an eye or a leg in any of those civil *rencontres*, support them with a competent pension, but do not put political authority into their hands, nor advance them to the *cabinets* of the state. Government will never be respectable in any age or state, but where men exercise all the offices who have had liberal education—whose souls have been polished by liberal society,—whose understandings have been enlarged by reflection and political studies, and who have experienced the important and substantial advantages of property.

Independent gentlemen, merchants and farmers, of the state of *Manhattan!* now is the time to get rid of the mortifying oligarchy, which has checked all continental measures, and impeded the wheels of the general machine. Those political balloons which have reached such an aspiring height, by being inflated with *inflammatory air*, should be brought to the ground. There are men among you, whose talents and manners disgrace the dignity of government, and make you the scoff and bye word of the union. If government is an edifice, it wants not the assistance of the *Quadrant*, nor can men who would rather talk (even with a palsied tongue) than work, be now expert at a *dove tail* or a *mortice*. When we speak of the chain of union and the thirteen links, it is the language of Indian metaphor, and the hammer and anvil of a real *Blacksmith* is not necessary.—There are stains in your character which the *soap* and *lather* of the patriotic barber cannot remove, and your virtuous sisters will ever consider your *failure* with additional bitterness of reproach, as she whorishly yielded her honor to the ungainly seductions of a rustick and unpolished *Rough-Hewer*.

New-York, Feb. 6, 1788.

206. Virginia Herald, 27 March 1788

The revenue arising from the customs alone will amount to more than 60,000*l*. It fortunately happens for the creditors of the state of New-York, that Congress have not made any requisition for the service of the last year, in money. It follows, that all the revenue arising from the customs may be used in discharge of the interest on the state debt. Report says, that the members, who were anxious to procure a convention of the people, for considering a new constitution, having effected a measure they had much at heart, are now as anxious to get home; but we would not so far insult their judgment, to suppose them indifferent and negligent of what so materially affects their fellow citizens, as to leave all the resources of the state unappropriated.

207. Walter Rutherford to John Rutherford New York, 29 March 1788 (excerpt)¹

. . . After much Tergiversation the Legislature are next to meet at Albany. The Assembly had voted for N. York, the Senate for Poughkepsie: the Albany Foederals thought their town would be more propitious, a Coalition ensued to baulk the Anties. Some think the Seat of Government will fix'd here, as members are daily added to the back Counties by splitting them.—We hear that Judge Symes has engaged 600 Jersey emigrants mostly from Morris Co—Duer talks of nothing but the western Territory: St. Clair still here solliciting Ways and means. . . .

1. RC, Rutherford Papers, NHi.

208. Jacob Cuyler to Richard Varick
Albany, 30 March 1788 (excerpt)¹

. . . I cant at this Time leave home—The Election business Ingrosses so much of Time. . . .

1. RC, Personal Miscellaneous Collection, Richard Varick, NN.

209. A Spectator
New York Journal, 31 March 1788

*Mr. GREENLEAF is requested to insert the following,
 From the POUGHKEEPSIE ADVERTISER.*

Mr. POWER, It may possibly gratify the curiosity of the public, to give them some information through the channel of your paper, of the serious difficulties and embarrassments which have lately taken place in a certain honorable house about the most proper place for holding the next sessions of the legislature—it was affirmed by some that as the legislature were a public body; there was a very great impropriety in their taking the Bush, as it had been expressed in a late publication from New-York, besides the disadvantage it was to that city to be deprived of the representation of a certain little gentleman,^(a) others thought that it was a matter of the last importance to the state, that the next sessions of the legislature should be at, or near some capital town or city on the sea coast, where intelligence might be more easily obtained, proper measures for the public good more easily concerted, and some particles of knowledge in politics and legislation infused into the brains of the country members, by introducing them into politic company, and giving them good dinners—others went so far as to whisper that it was a question which had some relation to federalism, and that if that renowned lady Miss United States should in the course of the ensuing season, be safely delivered of the new government of which she is now known to be pregnant, it would be highly necessary to have the assistance of the wisdom and politics of a city now famous for the residence of Publius to provide proper support and a suitable means of subsistance for her handling.—Full of these and a thousand other ideas, and fearful that the question might not be carried, our men of Senatorial dignity determined to call in the assistance of three absent ponderous brothers, whose weight in council, if not their numbers, it was thought would most certainly turn the scale. The proper intelligence being communicated, every one will easily suppose that nothing but a deep sense of their own importance, and the importance of the question in agitation could have induced this worshipful triumvirate to have undertaken so tedious a journey amidst so many disagreeable impediments of mud, mire and corpulence.—If the reader of this has ever read, and if he has not, I wish he would read that part of Tristram-Shandy's description of Obadiah, when he went post-haste after Doctor Slop, the manmidwife, that he might have a more perfect idea of the

dangers, difficulties and fatigues of their journey; his imaginations will then present to him three comets moving in orbits very excentric towards the north pole, whose æras will be proportional to their times, and whose velocities will be according to the quantity of matter in motion, surrounded with vortices of mud, mire and water.—Their nucleuses, consisting of quadrupids with long bushy tails, plunging and splashing through thick and thin with all their might and main, groaning and sweating under the enormous oppression of huge masses of legislative matter astride upon their shoulders.

The tender-hearted statesmen (if any such there be) will readily acknowledge that nothing could justify the obliging those poor unhappy animals to undergo such violent exertions, except the interest of the state and the importance of the question then debated, to say nothing of the additional labour of the riders in kicking, spurring, and whipping—but how must it affect every tenderhearted and sympathetic reader to hear that so much labour was lost—that their arrivals was, alas! too late—that the question for adjournment to the place of their residence had been taken and lost in both houses.—This seemed to involve the business in two fold embarrassments—a variety of expedients were thought of.—To add to the difficulty, the senate were then puzzling themselves about a resolution which they had agreed to for adjourning to Schenectady, and which they did not well know how to get rid of, and were obliged at last to send it to the assembly for their non-concurrence.—After mature deliberation and solemn consultation with the late reinforcement of the senate, it was thought most advisable that one of the members of the assembly should move a resolution for adjourning to Brooklyn, but this was unhappily lost on putting the previous question. What to do next was the great difficulty—to take so much pains for nothing would not do. The worshipful triumvirate doubtless thought that the eyes of the world were upon them, and that unless something of importance was done in the business, the whole of this political manœuvring would have an air of ridicule.—The malicious and ill-natured might say “that the King of France had marched up the hill with ten thousand men, and had marched down again:” The senate at last having puzzled themselves for some time about a question of order, in which they had frequent recourse to *Lex Parliamentario* in a kind of fit of desperation agreed to a resolution for adjourning to Albany, which was concurred in by the other house; and thus the mighty business ended in a manner directly contrary to the expectations and wishes of numbers who had greatly interested themselves in the matter—great politicians are often deceived. I hope that in this simple narrative, I shall not be understood to cast any personal reflections, for as a certain great man told the house of assemble, “that they must abstract the proposition from the persons who made it, and consider it as a proposition by itself independent of any person whatsoever,”—so I must request the reader to abstract this narrative from all persons spoken of in it, and consider it as a kind of abstract entity without any relation to any people, characters, or parties whatsoever.

(a) The author is here supposed to allude to Publius, who it is said could not serve the city of New-York, if the legislature sat elsewhere.

**210. John Bogart to Peter Van Gaasbeek
April 1788 (excerpt)¹**

. . . you request me for A full Naritive respecting the proposed Constution, which vareys much In the minds of the People with us, As the Sloop is this day Saled for Newyork Shall in my Next give You a More particular Detail Repecting Puplic afares. . . .

1. RC, Van Gaasbeek Papers, Senate House Museum, Kington, N.Y. The letter is docketed: "From Jno. Bogart/April/1788."

**211. Andrew Craigie to Daniel Parker
New York, 1 April 1788 (excerpts)¹**

. . . public Securities on which interest has been paid to the end of the year 86 are $\frac{3}{5}$ & $\frac{3}{6}$ ~~of~~ £ & I believe will continue to rise while the prospect continues favourable for the Establishment of the new Constitution which at present looks up well & will be out of danger if Virginia accedes. . . .

. . . Our friend Melancton is antifederal that is against the Constitution. . . .

1. FC, Craigie Papers, American Antiquarian Society, Worcester, Mass.

212. New York American Magazine, 1 April–1 July 1788¹

[1 April 1788] *The FEDERALIST; a Collection of ESSAYS written in favor of the NEW CONSTITUTION, as agreed upon by the FEDERAL CONVENTION, Sept. 17, 1787, in two volumes. J. and A. M'Lean. New-York, 1788.*

These Essays, addressed to the people of this State, first appeared in the New-York papers, under the signature of PUBLIUS, which they still retain. The design of the writer (or writers) viz. to vindicate the New Constitution, is expressed in the title page; and it appears the extent and importance of the subject have led to a more particular discussion, than the author expected when he began the publication. We however congratulate ourselves on the necessity which has produced these Essays; for it would be difficult to find a treatise, which, in so small a compass, contains so much valuable political information, or in which the true principles of republican government are unfolded with such precision. The following is a brief sketch of his arguments in favor of the New Federal Constitution.

No. 1. In his introductory essay, the author prepares the way for his following arguments, by some very just remarks on the importance of the present crisis and the causes which oppose themselves to a candid investigation of the merits of the Constitution. In the number of these, he mentions interest, ambition, personal animosity and party opposition. He then modestly declares the consciousness of his own good intentions, and begins his remarks with a candor that wins a belief of his sincerity.

He proceeds to lay down the plan of his work under the following heads.

1. He designs to prove the utility of the union of the American States to their political prosperity.

2. The insufficiency of the present confederation to preserve that union.
3. The necessity of a government at least equally energetic with the one proposed to the attainment of this object.
4. The conformity of the proposed Constitution to the true principles of republican government.
5. Its analogy to the constitution of this State.
6. The additional security, which its adoption will afford to the preservation of that species of government, to liberty and to property.

No. 2, 3, 4 & 5. These essays treat of the dangers to which the States are exposed from foreign force and influence. The author begins with combating that dangerous opinion, lately started, that such an extensive territory as that covered by the thirteen States, cannot be governed by the republican form. He supposes the *general* opinion of people, that the union is necessary to our safety, to be well founded. He demonstrates by a variety of arguments, that our security against foreign war depends on our union. Violations of treaties are among the most usual and just causes of war—These are less to be apprehended under a general government, than under several smaller governments—Unlawful violence, another cause of war, will not be so often committed by a national government, as by smaller confederacies; at the same time, it will be less to be dreaded and more easily repressed. In commerce European nations consider us as growing rivals, particularly in the fishery and East-India trade—Rivalship begets jealousy and often kindles war. It is necessary that a government should be respectable and powerful to prevent or punish encroachments: To effect this the States must unite their power and place their militia and their marine force on a uniform plan of discipline, and under a single Executive.

The writer quotes some very just remarks on this subject, from Queen Ann's letter to the Scotch Parliament on the union of England and Scotland. He considers the independence of the two kingdoms formerly, as the cause of innumerable quarrels and wars, and produces the fact as a proof that such would be the effect of dividing the States into a number of confederacies. The strength of the individual States is not the same—the strength of the supposed confederacies would not probably continue the same—the causes of quarrels would be frequent—The least that could be expected would be mutual jealousies, distrust, violations of confidence, and frequent bloodshed. But in case of war between the confederacies, the invaded States would probably form foreign alliances, which might expose them to become the victims of the ambition of their allies.

[1 May 1788] No. 6 & 7. In these numbers, the author proceeds to point out the dangers to which the States would be exposed from war among themselves, unless united under a general government.

The experience of all ages has proved that innumerable causes of hostility will exist between neighboring States—such are the love of power and pre-eminence—the jealousy of power, or desire of equality and safety—clashing interests and commercial competitions. Even the passions of individuals sometimes embroil States. Pericles was the author of the Peloponnesian war, which ruined the Athenian State—Cardinal Wolsey precipitated England into a war to gratify his own ambitious views, and the passions of three women^(a) had consid-

erable influence in the ferments which disturbed Europe at the beginning of the present century. Such examples furnish a useful lesson to these States, and prove the utility of a national government that shall prevent or destroy the agency of similar causes of war.

The opinion, *that commercial republics will not be disposed to waste their wealth in wars*, is not well founded, for commerce often creates the objects of contest. History declares that Athens, Carthage, Venice, Holland and Britain, furnish innumerable proofs of the contrary dispositions. No argument, therefore, can be drawn from the genius of the American governments, nor from the pacific occupations of our citizens, to prove that peace could be preserved among a number of independent confederacies.

But not to mention many probable contingent causes of dispute, which would threaten the peace of these confederacies, the causes that actually exist, and are enumerated in the 7th essay of the work under consideration, are sufficient to evince the impossibility of perpetuating political harmony among neighbouring sovereignties. Several territorial controversies between states now exist, and nothing but a general government, empowered to decide, and capable of enforcing its decisions, can prevent them from proceeding to violence. Interfering claims to the western unsettled territory, would be another fruitful source of contention. Commercial advantages, arising merely from local circumstances, would produce jealousies and demands that would not be calmed nor satisfied, but with great sacrifices on the part of the wealthier states—sacrifices that could not be expected but at the point of the bayonet. To these causes of contention, may be added a division or apportionment of the public debt, which would not fail to occasion violent disputes; and these would probably end in war, or an annihilation of the debt, and the ruin of thousands of meritorious citizens. Laws in violation of private contracts could produce animosity and retaliation; and may close the catalogue of causes, which would probably operate in embroiling the separate governments. From these considerations, *Publius* very justly draws his conclusion, that policy requires the States to be firmly united under an *efficient general government*.

No. 8. If the creation of several distinct governments would expose the whole to frequent internal wars, the necessary consequence would be, a number of *standing armies*, and the very *means* of *self-defence* would inevitably prove fatal to *our own liberty*. It is a most interesting truth, demonstrated in this essay, that a general government is our only effectual security against those evils that oppress the nations on the European continent, *standing armies*.

No. 9 & 10. A general government is the most effectual barrier against domestic faction and insurrection. The incessant disorders which existed in the petty republics of Greece, prove the necessity of such a barrier. An opinion had been adopted on the authority of Montesquieu, that small territories only are proper for republics. This principle can be true only of pure democracies, in which all the citizens have a share of the legislative authority; but by the modern practice of representation, a very large extent of country may be governed by the republican form; & even Montesquieu himself admits that a confederation of republics may be so formed as to unite the happiness of free States, with the

vigor of Monarchies. The new constitution may be an improvement on the *Lycian league*, which that writer proposes as a model.

Such a firm union as is proposed is our best safeguard against faction. The seeds of faction are sown in human nature, and cherished by a thousand adventitious circumstances in society. To root them out is impossible, but to check a luxuriant growth, is practicable. A large government diminishes the causes of faction, and increases the power of repressing them.

No. 11. *The utility of the union in respect to commerce and a navy*, is the subject of this essay. As this utility is generally acknowledged, it is not necessary to repeat the author's arguments, however ingenious and conclusive. But at the close of this number, the writer has some striking remarks, which deserve particular attention.

"I shall briefly observe, that our situation invites, and our interest prompts us, to aim at an ascendant in the system of American affairs. The world may politically, as well as geographically, be divided into four parts, each having a distinct set of interests. Unhappily for the other three, Europe by her arms and by her negociations, by force and by fraud, has, in different degrees, extended her dominion over them all. Africa, Asia, and America, have successively felt her domination. The superiority she has long maintained, has tempted her to plume herself as the mistress of the world, and to consider the rest of mankind as created for her benefit. Men admired as profound philosophers have, in direct terms, attributed to her inhabitants a physical superiority; and have gravely asserted that all animals, and with them the human species, degenerate in America—that even dogs cease to bark after having breathed a while in our atmosphere.^(b) Facts have too long supported these arrogant pretensions of the European: It belongs to us to vindicate the honor of the human race, and to teach that assuming brother moderation. Union will enable us to do it. Disunion will add another victim to his triumphs. Let Americans disdain to be the instruments of European greatness! Let the thirteen States, bound together in a strict and indissoluble union, concur in erecting one great American system, superior to the control of all transatlantic force or influence, and able to dictate the terms of the connection between the old and the new world."

No. 12. This essay treats of the utility of the union, with respect to *revenue*. The deductions from the arguments here used, may be summed up in a few words, viz. That as experience proves, a revenue cannot be expected from *direct taxes*, the States must resort to *excise* and *impost*. The *first* is not in unison with the feelings of Americans; the last is therefore our principal resource. But in order to render the collection of a revenue from imposts easy, equal and effectual, *one uniform system* must prevail over all the States. This can be effected only under a general government.

No. 13. In this number the utility of the union, with respect to public *economy*, in reducing the civil list expenditures, is considered and demonstrated.

No. 14. In this essay the objection to the union of the States, drawn from the difficulty of governing such an extent of territory, is more particularly considered and refuted. It is remarked that the mean distance between the extremes

of the States is, from north to south, but 668 miles, and from east to west but 750. The distance from the seat of government occasioned by this extent of country, is nearly equalled in Germany and Poland, and by the distance of one extreme of Great-Britain from the seat of Parliament.

Whatever objections might be against a pure democracy of this extent, it cannot be proved by any past experiment, that a republic so extensive may not be well governed.

No. 15, 16, 17, 18, 19, 20. *Publius* proceeds to show that the great defect of the present confederation, is *in the principle of legislation for the States in their collective capacities*, as contra-distinguished from the individuals of which they consist. The resolutions of Congress are in theory binding upon the States, but there is no existing power to enforce their resolutions, nor to extend any regulations to individual citizens. The consequence is, their resolutions become mere recommendations. To remedy this evil the acts of Congress must extend immediately to individuals, without any control from intermediate Legislatures.

It has been objected that such powers in the Congress will tend to absorb the State governments. To prove the fallacy of this objection, *Publius* cites the examples of the *Amphyctionic Council* of Greece, the *Achaean League*, the *Germanic Confederacy*, and the *United Netherlands*, with others of less consideration; in all which the tendency has been to *anarchy* among the *members*, rather than to tyranny in the *head*. The histories of these confederacies cannot be here recapitulated; but they prove beyond dispute that these states are in infinitely more danger from anarchy and imbecility of government, than from too much energy in the federal Legislature.

No. 21 and 22. In these essays, other defects of the present confederation are enumerated; viz. a total want of a sanction to its laws—the want of a mutual guarantee of the State-governments—an erroneous principle in regulating the State-contributions to the federal treasury—the want of power to regulate commerce and the army—the right of equal suffrage among the States, which gives fifty thousand inhabitants in Rhode-Island equal weight with five hundred thousand in Virginia—and above all, the want of a supreme judiciary power, to define the laws and produce a uniformity of decisions.

No. 23. The design of this essay is to prove that a constitution as energetic as that proposed, is necessary to provide for our national security and happiness. The *objects* of government are extensive and indefinite; the *means* of attaining these objects should be proportional to the *end*; it would therefore be highly impolitic to limit the powers of the national government.

No. 24. In answer to the objections that have been offered to the power vested in the national government of maintaining standing armies, *Publius* proceeds to prove that this power must exist in all governments, or the governments will not be adequate to the protection of its subjects. He observes that this power is vested in most of the State-Legislatures—that it is not restricted by the present confederation—and that all governments must be vested with *discretionary powers* to provide for their own defence. In this and the four succeeding essays, he proves that the clamors about standing armies are groundless and that the Federal

Government cannot avail itself of these instruments to wrest from the people their liberties and property; or at least that these States are provided with the best means of security against such an event that the nature of government will admit.

No. 29. Respecting the militia. It is here proved that the power of establishing a uniform mode of discipline, and of calling forth the militia upon occasion are judiciously lodged in the national government. No danger can be rationally apprehended from a body of men born and educated in the bosom of the country; at the same time a select band of well disciplined troops, at all times ready to be embodied, is the best security against the necessity of standing armies.

No. 30 to 36 inclusive. These numbers comprehend the important subject of taxation. It is here demonstrated, by a course of unanswerable reasoning, that the indefinite power of taxation must be lodged in the national government; for every government, to be perfect, must possess the means of accomplishing the objects of its institution, viz. the protection of the life, liberty, property and safety of its subjects. If these objects cannot be precisely defined, neither can the extent of the powers of government be precisely ascertained.

The right of laying duties *on imports* is exclusively vested in the general government. As to every other mode of raising a revenue, the national and State governments have concurrent jurisdiction. The objections, that the powers of the national government will extinguish the rights of the States in the article of taxation; that they will be employed to oppress the people; and that the powers of the general and State governments will interfere and produce disorders, with others of less weight, are considered at large and amply refuted.

The discussion of this subject concludes the first volume of the Federalist.

[3 June 1788] No. 37. The author proceeds to state the difficulties which the Convention must have encountered in the formation of a plan of Government for the United States. The principal of these were, 1st, The difficulty of devising a system which should unite in itself the requisite energy of government, and a due attention to liberty and the republican form—2d, Of marking the proper line of partition between the authority of the general, and of the State Governments—3d, The interfering pretensions of the larger and smaller States. Under each of these articles, the author makes many excellent remarks.

No. 38. In the beginning of this number, the author very justly remarks that the framing of most systems of Government has been committed to a single man of pre-eminent wisdom and approved integrity; but that the Americans have improved upon this plan, and appointed a number of her most eminent characters to execute the important task. This policy, while it proves an uncommon unanimity of sentiment as to the necessity of a general Government, cannot be repeated without hazard, as is evident from the incoherence of the objections to the new Constitution, as well as from the testimony of all antiquity. The infinite variety of opinions respecting the principles and tendency of the proposed form of Government preclude the possibility of uniting the States in another form; and Publius shows clearly that the nominal powers of Congress under the existing Confederation are as dangerous (if any danger can exist on paper) as they will be under the proposed form.

No. 39. Publius defines a republican Government to be “that which derives all its powers directly or indirectly from the people, and is administered by persons holding their offices during pleasure, for a limited period, or during good behavior.” He then proceeds to show the conformity of the proposed Constitution to these principles, and to examine in what respects it is a *federal* and in what respects, it is a *national* Government. His remarks on this distinction are clear, and it is apprehended, just.

No. 40. Publius, in answer to the objection, that the Convention exceeded their powers, enters into a consideration of the commissions under which they acted, and proves, from the most obvious construction of the clauses, vesting them with their powers, that the Convention had authority to frame a plan adequate to the exigencies of the union.

No. 41, 42, 43, 44. These numbers contain a general view of powers vested in the proposed Government; in which the author has collected the most material and conclusive arguments to prove that such extensive, and in some cases, indefinite powers, are necessary to establish and defend public harmony, peace and safety.

No. 45 and 46. Publius then proceeds to obviate the objection, that the proposed Constitution will absorb the State Governments and melt them down into a consolidated Government. From the experience of other Confederacies, and from the necessity of the State Governments in creating and supporting the general Government, as well as the local attachments and jealousies that prevail in every State, it is clearly proved that the general Government will be more likely to be frustrated and abridged in its operations, than that the State Governments will be annihilated by the general Government.

No. 47 to 51, inclusive. In these numbers the author examines the meaning of that political maxim which requires a separation between the Legislative, Judicial and Executive departments. He proves that the maxim cannot be understood to require a total separation, as in the best Governments, the English and American, there is some degree of connection and dependence. The maxim must convey this idea, that no body of men should possess *all* Legislative, Judicial, and Executive powers, nor should one department possess *all* the powers of either of the other departments.

[1 July 1788] No. 52. The subject of this and the 6 following numbers is the *House of Representatives*, the most numerous branch of the Federal Legislature. The first remarks are, that the Convention have wisely left each State to regulate the qualifications of its own electors, but that they have as wisely made twenty-five years of age and seven years residence in America requisites for admission into Congress.

The author then proceeds to show that biennial elections are well calculated to secure a proper dependence of the Representatives on the people, and at the same time, give them time to make themselves acquainted with business and the variety of federal interests. The reasons mentioned for extending the period of elections to two years are such as to calm the fears of well-minded men on this head.

With respect to the ratio of representation the author’s remarks are very ingenious, and it is believed, must silence the objection that has been raised against

that article of the Constitution which ordains, that representation and direct taxes shall be apportioned according to the number of *free* inhabitants and *three fifths* of the slaves in each State. Slaves partake both of the nature of property and of citizens, and in this mixed light, does the Constitution consider them.

Publius likewise gives conclusive reasons, why the representation should not be increased. His arguments on this article deserve the attention of all candid enquirers for truth.

No. 59, 60, 61. These numbers contain a refutation of the objections to the article of the Constitution which gives the Congress power to regulate the *time, place* and *manner* of elections. The maxim on which this article rests, is, *that every government ought to contain in itself the means of its own preservation*. The impropriety of subjecting the very existence of a General Government to the will of each separate State, must be too obvious to need the least proof.

No. 62. The author proceeds to treat of the Constitution of the Senate. In this and the four succeeding numbers, he considers the qualifications of the Senators—the appointment of them by the State Legislatures—the equality of representation in the Senate—the number of members and the term for which they are elected—and the powers vested in the Senate. As a Senator must be thirty years old, and have been a citizen of America nine years, none will probably be chosen, whose abilities and attachment to this country are questionable. As the appointment is made by the State Legislatures, a proper choice of men and connection of influence between the State and general governments will be secured. The equality of representation, which was the result of compromise and mutual concessions, establishes the equal sovereignty of each State. The small number of members in Senate will preclude the probability of cabals and faction; and their duration in office, while it does not render the body independent of the people, gives it stability and opportunities for acquiring information and experience.

Publius goes fully into a discussion of the powers vested in the Senate, particularly to make treaties, in conjunction with the President, and to try all impeachments. As the objections against this article of the Constitution have been numerous and urged with particular vehemence; so our author advocates this part of the system with great candor and force of reasoning.

No. 67. In this and the ten succeeding numbers, Publius enters into an examination of the Constitution and powers of the President, or Supreme Executive. He begins by detecting some gross misrepresentations of this part of the system, on the side of the opposition. He shews the singular advantages of the mode of appointment. He institutes a comparison between the powers of the Executive in Great Britain and in this State, and shows that they can in no respect be dangerous to liberty. He proves the utility of a *single* Executive, and the inconvenience of an Executive Council. His remarks on the continuance of the President in office, and his reeligibility, are deemed just and well worthy of particular attention in States where the principle of rotation is established. His reasonings on the powers of the President are clear and forceable; calculated to satisfy every candid enquirer, that the Executive is clothed with no more power than is necessary to a just adminis-

tration of the laws; nor more than is necessary to secure the rights of the citizens and States.

No. 78 to 83 inclusive. These essays are employed in examining the judicial department. As the advantage of unbiassed adjudications of legal questions rests principally on the independence of the Judges, the Constitution wisely ordains that the interpreters of the laws should hold their offices on the tenure of good behavior. To render their independence the more complete, it ordains also that their salaries shall not be diminished during their continuance in office. The powers of the federal judiciaries must necessarily extend to all legal questions that arise under the Constitution and laws of the United States.

The remarks of our author upon the appellate jurisdiction of the Supreme Federal Court, are very judicious, and cannot fail to quiet the apprehensions of the welldisposed mind, respecting that favorite privilege, trial by jury. This trial is secured to criminals; and in civil cases, it is left with the national legislature to determine by law in what courts it shall be established. After some valuable remarks on the inutility of a bill of rights, separate from the constitution, and on other miscellaneous subjects, the author, in his 85th number, closes his treatise, with several powerful arguments in favor of receiving the proposed constitution. In answer to those who urge for amendments in the constitution, previous to its adoption, Publius very justly observes, that amendments will be more easily made *after* than *before* its adoption. His observations on this point deserve to be transcribed. "There is however one point of light in which the subject of amendments still remains to be considered; and in which it has not yet been exhibited to public view. I cannot resolve to conclude, without first taking a survey of it in this aspect.

"It appears to me susceptible of absolute demonstration, that it will be far more easy to obtain subsequent than previous amendments to the constitution. The moment an alteration is made in the present plan, it becomes, to the purpose of adoption, a new one, and must undergo a new decision of each state. To its complete establishment throughout the union, it will therefore require the concurrence of thirteen states. If, on the contrary, the constitution proposed should once be ratified by all the states as it stands, alterations in it may at any time be effected by nine states. Here then the chances are as thirteen to nine^(c) in favour of subsequent amendments, rather than of the original adoption of an intire system.

"This is not all. Every constitution for the United States must inevitably consist of a great variety of particulars, in which thirteen independent states are to be accommodated in their interests or opinions of interest. We may of course expect to see, in any body of men charged with its original formation, very different combinations of the parts upon different points. Many of those who form the majority on one question may become the minority on a second, and an association dissimilar to either may constitute the majority on a third. Hence the necessity of moulding and arranging all the particulars which are to compose the whole in such a manner as to satisfy all the parties to the compact; and hence also an immense multiplication of difficulties and casualties in obtaining the

collective assent to a final act. The degree of that multiplication must evidently be in a ratio to the number of particulars and the number of parties.

“But every amendment to the constitution, if once established, would be a single proposition, and might be brought forward singly. There would then be no necessity for management or compromise, in relation to any other point, no giving nor taking. The will of the requisite number would at once bring the matter to a decisive issue. And consequently whenever nine^(d) or rather ten states, were united in the desire of a particular amendment, that amendment must infallibly take place. There can therefore be no comparison between the facility of effecting an amendment, and that of establishing in the first instance a complete constitution.”

The advantages to be expected from the General Government, our author then describes: “The additional securities to republican government, to liberty and to property, to be derived from the adoption of the plan under consideration, consist chiefly in the restraints which the preservation of the union will impose on local factions and insurrections, and on the ambition of powerful individuals in single states, who might acquire credit and influence enough, from leaders and favorites, to become the despots of the people; in the diminution of the opportunities to foreign intrigue, which the dissolution of the confederacy would invite and facilitate; in the prevention of extensive military establishments, which could not fail to grow out of wars between the states in a disunited situation; in the express guarantee of a republican form of government to each; in the absolute and universal exclusion of titles of nobility; and in the precautions against the repetition of those practices on the part of the state governments, which have undermined the foundations of property and credit, have planted mutual distrust in the breasts of all classes of citizens, and have occasioned an almost universal prostration of morals.”

These are the outlines of the author’s subject.—The essays from a concise treatise, in which the writer has discovered great reading and profound knowledge of the principles of government. His reasoning is always fair and candid, and generally clear—his language correct, smooth and elegant. To the correctness of his style however, a few exceptions must be made. A small inaccuracy is found in the following sentence. “In the case for which it (the negative of the executive) is chiefly designed, that of an immediate attack upon the constitutional rights of the executive, or in a case in which the public good *was* evidently and palpably sacrificed, a man of tolerable firmness would avail himself,” &c. So in the following, “And when parties *were* pretty equally matched[”]—“where the tenor [i.e., error] of an example *was* necessary,” &c. No. 73 and 64 [74]. The past tense is here used for the future or conditional *should be* or *might be*; and many such examples occur in the course of the work. The haste in which these essays were written is an apology for all such inaccuracies. But the author has a better apology.

This kind of inaccuracy is very common with the best writers, and has never before been noticed. The silence of critics on this point, is astonishing; but it is also real, and will excuse the faults of those writers whose principal business is with *ideas* rather than with *words*.

On the whole, it must be allowed that these essays compose one of the most complete dissertations on government that ever has appeared in America, perhaps in Europe. They are well calculated to remove objections to the new Constitution—to impress upon candid minds, just ideas of the nature of republican governments, of the principles of civil liberty, and of the genius and probable operation of the proposed Federal Constitution. They will be useful in diffusing political knowledge in the American republics, and will probably be republished and read with pleasure and approbation, by the friends of liberty on the other side of the Atlantic.

(a) Madame de Maintenon, the Dutchess of Marlborough and Madame de Pompadoure.

(b) *Recherches philosophiques sur les Americains.*

(c) (d) *It may rather be said TEN, for though two-thirds may set on foot the measures, three-fourths must ratify.*

1. Printed: New York *American Magazine*, March (pp. 260–61), April (pp. 337–41), May (pp. 423–24), June (pp. 503–7).

213. New York American Magazine, 1 April 1788¹

DEBATES of the CONVENTION of the State of PENNSYLVANIA on the CONSTITUTION, proposed for the Government of the UNITED STATES. Taken accurately in short hand, by THOMAS LLOYD. In two volumes, octavo, vol. I. JOSEPH JAMES, Philadelphia.

The first volume only of these debates, is come to hand, which contains the speeches of Thomas M’Kean and James Wilson, Esquires. Most of this volume is filled with the speeches of the latter gentleman, whose great political abilities are displayed throughout the whole course of his arguments. His reasoning is concise and clear, his arrangement tolerably methodical, and his style perspicuous and elegant.

Mr. M’Kean’s arguments are very concise, but judicious and generally well expressed.

The volume under consideration may be considered as a very useful publication, and calculated to diffuse a true knowledge of the principles of government in general, and particularly of the New Federal Constitution. It may however be enquired, why has the compiler suppressed the speeches of the most able men on the opposite party? Are they to appear in the second volume? and if so, will they not be mis-placed? It is presumed that the principles of the Constitution, like those of the Christian religion will bear the severest scrutiny; and that its cause will even gain strength by discussion. The omission of the anti-federal arguments as stated by the opposition, may give uneasiness to some warm friends to the Constitution. On this subject however it is necessary to suspend our opinion, till the appearance of the second volume.

1. Printed: New York *American Magazine*, March 1788, p. 262. For the exact dating of the March issue of the *American Magazine*, see the *New York Packet*, 1 April.

214. Giles Hickory

New York American Magazine, 1 April 1788¹

GOVERNMENT.

I have said^(a) “that the people ought not to give binding instructions to Representatives.”—“That they cannot exercise any act of supremacy or legislation at all but in a Convention of the whole state, or of Representatives of the whole state.”—and “That the right of election is the *only* constitutional right which they can with propriety exercise.” That these positions, however repugnant to the received opinions of the present age, are capable of political demonstration, is to me unquestionable. They all convey nearly the same idea, and if true, they contravene, in some measure, a fundamental maxim of American politics, which is, that “the sovereign power resides in the people.”

I am not desirous of subverting this favorite maxim; but I am very desirous it should be properly qualified and understood; for the abuse of it is capable of shaking any government; and I have no doubt that the mistakes which this maxim has introduced, have been the principal sources of rebellion, tumult and disorder in several of the American States.

It is doubtless true, that the individuals who compose a political society or state, have a sovereign right to establish what form of government they please in their own territories. But in order to deliberate upon the subject they must all convene together, as in Rome and Athens; or must send deputies, vested with powers to act for them, as is the practice in England and America. If they adopt the first method, then the supreme legislative power resides, to all intents and purposes, in the whole body of the people. If, from the local circumstances of the people, the whole body cannot meet for deliberation, then the legislative powers do not reside in the people at large, but in an assembly of men delegated by the whole body.

To prove this last position, it is necessary to enquire, what is the object of law, and on what principles ought it to be founded? A law, if I understand the term, is an act of the *whole state*, operating upon the *whole state*, either by command or prohibition; it is thus distinguished from a *resolve* which more properly respects an individual or a part of the state.^(b) The object of a law is to prevent positive evil or produce positive good to the *whole state*; not merely to a particular part. The principle therefore on which all laws should be founded, is, *a regard to the greatest good which can be produced to the greatest number of individuals in the state*. The principle is so obvious that I presume it will not be controverted. Permit me then to enquire, whether the people of any district, county or town, in their local meetings, are competent to judge of this *general good*? A law, which is, in its operation *general*, must be founded on the best *general information*: The people themselves have no right to consent to a law, without this general information: They have no right to consent to a law, on a view of a local interest; nor without hearing the objections and arguments and examining the amendments suggested by every part of the community, which is to be affected by that law. To maintain the contrary is to defend the most glaring contradictions. But can the inhabitants, in detached associations, be acquainted with these objections and

arguments? Can they know the minds of their brethren at the distance of three or five hundred miles? If they can not, they do not possess the right of legislation. Little will it avail to say, that the people acquire the necessary information by newspapers or other periodical publications: There are not more than two states in the thirteen, where one half the freemen read the public papers. But if every freeman read the papers, this would not give him the information necessary to qualify him for a Legislator; for but a small part of the intelligence they contain is official, which alone can be the ground of law; nor can the collective sense of a nation or state be gathered from newspapers. The whole body of people, or Representatives of the whole body, are the only vehicles of information which can be trusted in forming a judgment of the true interest of the whole state.

If the *collective sense* of a state is the basis of law, and that sense can be known officially no where but in an assembly of all the people or of their Representatives; or in other words, if there can be no such thing as a *collection of sentiments* made in any other manner, than by a Convention of the whole people or their Delegates, where is the right of *instructing Representatives*? The sense of the people, taken in small meetings, without a general knowledge of the objections, and reasonings of the whole state, ought not to be considered as the true sense of the state; for not being possessed of the best general information, the people often form wrong opinions of their own interest. Had I the journals of the several Legislatures in America, I would prove to every man's satisfaction, that most of the schemes for paper money, tender laws, suspension of laws for the recovery of debts, and most of the destructive measures which have been pursued by the states, have originated in towns and counties, and been carried by positive instructions from constituents to Representatives. The freemen, in these cases, have wrong ideas of their own interest—their error, in the first instance, is ascribable merely to ignorance, or a want of that just information, which they themselves would obtain in a General Assembly. The right therefore of prescribing rules to govern the votes of Representatives, which is so often assumed, frequently amounts to a right of doing infinite mischief, with the best intentions. There is perhaps no case in which the people at large are so capable of knowing and pursuing their own interest, as their Delegates are when assembled for consultation and debate. But the practice of giving binding instructions to Representatives, if it has any foundation, is built on this maxim, that the constituents, on a view of their local interests, and either with none, or very imperfect information, are better judges of the propriety of a law, and of the general good, than the most judicious men are (for such generally are the Representatives) after attending to the best official information from every quarter, and after a full discussion of the subject in an assembly, where clashing interests conspire to detect error and suggest improvements. This maxim is obviously false; and a practice built on it cannot fail to produce laws, inaccurate, contradictory, capricious and subversive of the first rights of men. Perhaps no country, except America, ever experienced the fatal effects of this practice, and I blush to remark, what candor itself must avow, that few arbitrary governments, have in so short a period, exhibited so many *legal infractions* of sacred right—so many public invasions of private property—so many wanton abuses of legislative powers! Yet

the people are generally honest—and as well informed as the people of any country. Their errors proceed from ignorance—from false maxims of governments. The people attempt to legislate without the necessary qualifications for lawgivers—yes, *they legislate at home!*—and while this practice subsists, our public measures will be often weak, imperfect, and changable—and sometimes *extremely iniquitous*. From these considerations, it appears that the powers of a Representative should be wholly discretionary when he acts as a legislator; but as an agent for a town or small society, he may have positive instructions. His constituents in the last case are competent to instruct him, because they are the whole body concerned; but in the first instance, they are but a part of the state, and not competent to judge fully of the interest of the whole.

But to place the matter in the strongest point of light, let us suppose a small state, in which the whole body of people meet for the purpose of making laws. Suppose in this democracy, the people of a town or other district should desire a particular act, for instance a tender law. Would the inhabitants of this town, have a right to meet a few weeks before the General Assembly, where they are expected to be present, to debate and vote; and in this town-meeting take an oath, or otherwise bind themselves to vote for the act? Would they have a right to shut their ears against argument or to lay a restraint upon their own minds—to exclude the possibility of conviction—and solemnly swear to vote in a certain manner, whether right or wrong! If in this case the people of a district have no right to lay a restraint upon themselves, before they enter the General Assembly, neither have they a right, in representative democracies, to lay such a restraint upon their Delegates. The very reason why they are incompetent to direct their *Deputies*, is that they can not determine how to act *themselves*, till they come into the Assembly. The very doctrine of representation in government excludes the right of giving binding instructions to Deputies. The design of choosing Representatives is to *collect the wisdom of the state*—the Deputies are *to unite* their Councils—*to meet* and *consult* for the public safety: But positive instructions prevent this effect—they are dictated by local interests, or opinions formed on an imperfect view of facts and arguments—in short they totally counteract the good effects of public deliberations, and prevent those salutary measures which may result from united Councils. They make the opinions of a small part of the state a rule for the whole—they imply a decision of a question, before it is heard—they reduce a Representative to a mere machine, by restraining the exercise of his reason—they subvert the very principles of republican government.

But let us attend to the inconsistency of the practice. The oath required of a Representative, before he takes his seat binds him to vote or act from a regard to the public good, *according to his judgement* and *the best of his abilities*. Some of the constitutions contain an oath that binds a Representative, *not to assent to or vote for any act that he shall deem injurious to the people*. But what opinion—what judgment can a man exercise, who is under the restraint of positive instructions? Suppose a man so instructed should in conscience believe that a bill, if enacted, would be prejudicial to his constituents, yet his orders bind him to vote for it—how would he act between his oath and his instructions? In his oath he has sworn to act according to his judgement, and for the good of the people—his instruc-

tions forbid him to use his judgement, and bind him to vote for a law which he is convinced will injure his constituents. He must then either abandon his orders or his oath—perjury or disobedience is his only alternative.

This is no imaginary situation—I presume that many men have experienced it. One very worthy member of the Legislature in this state a few years since, was in that very predicament—and I heard him express great anxiety upon the occasion.

How noble was the conduct of that gentleman in Sandwich (Mass.) who, being chosen to represent the town in the late Convention, and instructed to vote against the constitution, *at all events; notwithstanding any thing that might be said in favor of it*; rather than submit to be fettered in this manner, resigned his appointment. The name of this gentleman, THOMAS BOURN, Esq. ought to be held in veneration by every true friend to his country, and his address to the electors on that occasion, ought to be written in letters of gold. It is recorded in these words: “Fellow Townsmen. The line of conduct which has appeared to me right, I have ever wished to pursue. In the decline of life, when a few revolving suns at most will bring me to the bar of impartial justice, I am unwilling to adopt a different, and less honest mode of acting. It is true, my sentiments at present are not in favor of the constitution; open however to conviction, they may be very different, when the subject is fairly discussed by able and upright men. To place myself in a situation, where conviction could be followed only by a bigotted persistence in error, would be extremely disagreeable to me. Under the restrictions with which your Delegates are fettered, *the greatest idiot may answer your purpose, as well as the greatest man*. The suffrages of our fellow men, when they neither repose confidence in our integrity, nor pay a tribute of respect to our abilities, can never be agreeable. I am therefore induced positively to decline accepting a seat in Convention, whilst I sincerely wish you, gentlemen, and my countrymen, every blessing which a wise and virtuous administration of a free government can secure.”

Such a bold and honest independence of mind are the marks of a good Legislator. With such men as Mr. Bourn, in the legislative department, our lives, liberties and properties are safe. Such a genius, rising amidst the obscurity of errors and false maxims, like a star emerging from chaos, spreads the rays of truth and illuminates the surrounding hemisphere. Considering the circumstances in which this gentleman was then placed, I had rather be the author of that short address, than of all the labored dissertations which have been written upon the proposed constitution.

Another error, which is connected with the practice of instructing Representatives, and may perhaps be one cause of it, is the opinion that a Deputy chosen by a certain number of freemen, is *their Representative only* or *particularly*—It seems to be believed that a Representative is bound to attend to the *particular interest of the men who elect him*, rather than to the *general interest*. If this were true, it would obviate, in some measure, the objections against instructions. But with respect to every general act, the opinion is *clearly false*. The reason why men are chosen by small societies of freemen, and not by the whole body, is that the whole body cannot be well acquainted with the most able men in the different parts of the state. It is the best expedient to correct the defects of government,

or rather, it is the best *practicable* mode of election. To render the mode perfect, the *whole body of freemen* should be at liberty to choose their Delegates from the *whole body*. This would destroy, in a great measure, the local views and attachments which now embarrass government—every Representative would be chosen by the whole body—and the interest of the whole number of constituents would be his object.

This mode is either impracticable or hazardous—notwithstanding this, when a Delegate is elected by a *part* of the state, he is really the Representative of the *whole*, as much as if he were *elected* by the whole. The constituents of every Representative are not solely those who *voted* for him, but the *whole state*, and the man that acts from a *local* interest, and attends merely to the wishes of those men who elected him, violates his oath, and abuses his trust. Hence the absurdity of instructions, which are generally dictated by a partial interest, and can perhaps in no case be the sole rule of a Legislator's conduct. When therefore a Representative says—*such is the wish of my constituents—such are their directions*—his declaration is but partially true—for his instructions are the wishes of a *part* only of his constituents.—His constituents, whom he actually represents and whose greatest interest is the sole rule of his conduct, are *the whole body of freemen*. This is an important truth, and I must repeat it; the man who is deputed to make laws for a state, and suffers a local interest to influence his conduct, abuses a sacred trust—and the Representative who obeys his instructions, in opposition to the conviction of his own mind, arising from a general view of public good, is *guilty of a species of perjury*.

Such are the opinions, which after long deliberation, I have formed respecting the principles of a republican government. I feel a diffidence in broaching sentiments so repugnant to the principles received by my countrymen and recognized by some of the state constitutions. But a strong persuasion of the truth of these opinions, acquired by reasoning and confirmed by several years observations, forbids me to suppress them.

A summary of the truths, deduced from the foregoing reasoning, is this—That the power of a state is at all times equal—that neither the people themselves, nor a Convention of their Delegates have either the power or the right to make an unalterable constitution—that the power of creating a legislative body, or the sovereign right of election, is solely in the people; but the sovereign power of making laws is solely in an Assembly of their Representatives—that the people have no right to give binding instructions to their Representatives—consequently a distinction between a *Convention* and a *Legislature* can be merely a difference of *forms*—that Representatives have no right to prolong the period of their delegation—that being taken from the mass of the people and having a common interest with them, they will be influenced, even by private interest, to promote the public good—and that such a government, which is a novelty on earth, is perhaps the best that can be framed, and the only form which will always have for its object, the general good.

(a) In the American Magazines for December, January and February.

(b) It is a capital defect in some of the states, that the government is so organized as not to admit subordinate acts of legislation in small districts. In

these states, every little collection of people in a village must petition the Legislature for liberty to lay out a highway or build a bridge—an affair in which the state at large has very little interest, and of the necessity and utility of which the Legislature are not suitable judges. This occasions much trouble for the state; it is a needless expense. A state should be divided into inferior corporations, vested with powers competent to all acts of local police. What right have the inhabitants of Suffolk to interfere in the building of a bridge in Montgomery? Who are the most competent judges of a local convenience; the whole state, or the inhabitants of the particular district?

1. Printed: New York *American Magazine*, March 1788, pp. 204–10. Noah Webster, the editor of the *American Magazine*, was the author of this essay.

215. Albany City Council Proceedings, Tuesday, 1 April 1788¹

At a Common Council held at the City Hall in the City of Albany on the first day of April 1788

Present

John Lansing Junr Esqr. Mayor

John Price	}	Aldermen
Henry Ten Eyck		
Peter W. Douer		
Thomas Hun		
Leonard Gansevoort Junr Esqr.		

Matthew Vischer	}	Assistants
John W. Wendell		
Abraham Cuyler		
Tho. Van Wyck Graham		
Elbert Willet		
Jollis Winne		

Pursuant to the direction of an Act entitled an act for regulating Elections the Board proceeded by plurality of Voices to elect three Persons for Inspectors in each ward of this City for the ensuing election to be held on the last Tuesday in april Instant for one Senator seven Members for Convention and seven Members of Assembly whereupon the following persons were elected as aforesaid Inspectors for the several wards mentioned opposite to their Respective names

First Ward	Second Ward	Third Ward
John D P Ten Eyck	Cornelius V. Scheluym	Abraham Schuyler
Williams Staats	John Jacob Bleeker	Jeremiah Lansing
Archibald Campbell	Thomas L Wiltbeck	Abraham Ten Eyck

Ordered that the Clerk give notice of such election to the said Inspectors without delay

1. MS, Albany Common Council Minutes, 1784–1790, Volume 11, Albany County Hall of Records.

216. Massachusetts Centinel, 2 April 1788¹

This is a paraphrase of a portion of “W. M.” that first appeared in the *Albany Journal* on 10 March (RCS:N.Y., 1366–67). It appeared in the *Centinel* under an “ALBANY. March 13” dateline.

The few antifederalists we have amongst us, endeavour to make up for their sparcity, by their indefatigableness. In every part they are unceasing in their exertions:—Like the hags in Macbeth, they are continually dancing round the chauldron of sedition, each throwing in his proportion of spells—singing

Come misrule—come toil—and trouble;
Anarch reign, and discord bubble.

They wish for nothing less, than by dissension to divide the people of this State; that they may see the introduction of their evils, in preference to the blessings of a federal government.

1. Reprinted: Providence, R.I., *United States Chronicle*, 10 April.

217. Virginia Norfolk and Portsmouth Journal, 2 April 1788

In a letter received last night from Poughkeepsie, mention is made, “that the Assembly, who last year were so pettish and anxious to remove the legislature to a county town, have on Thursday evinced their disapprobation of their present situation, by almost unanimously voting to hold their next session in the city of New-York; being not only convinced of the advantage of large cities for the accommodation of such bodies, but more particularly to have the fuller information on matters respecting commerce, revenue, &c. &c. &c.—the use of libraries, and other things, necessary for the purpose of statesmen.”

218. New York Journal, 3 April 1788

EXTRACT from the 1788th CHAPTER of the CHRONICLES of the TIMES.

1. In the 14th year of the independence of the Yorkites, the fathers of the people assembled together at Poughkeepsie.

2. And behold, there arose a great cry among the people, saying, our paper money has waxen old. And there went forth a sore discontent among them.

3. And it came to pass in those days, as it is recorded in the 31st act of the fathers of the Yorkites, that they consulted amongst themselves, saying, the money is, in good troth, waxen old, let us then destroy this old emission and emit new money, that the people may be glad. And the people rejoiced greatly.

4. And they said, to whom shall we confide this great business.

5. Now there were many who stood ready to serve the Yorkites with faithfulness; such as had already, in the days of their visitation, assisted to beat back the Britishites when the land was invaded, and when the Britishites said, we will reign over you.

6. And five men were named to take the charge of the money, viz. G—— B——, the treasurer, D—— McC——, the Hibernianite, and H—— W. F—— de P——, and N—— H——, Yorkites. Now there arose a great dispute, saying, we wot not that D—— McC—— has been a good servant to the Yorkites; but others rose up and said, though he has not fought our battles, as he never carried the *muskets* of the Britishites, he ought to be *rewarded*! And the contentions ceased.

7. Now these men, owning many sheepholds, were appointed commissioners, and empowered to contract for paper of many colours, with spangles of the richest hue, which the water of the great Hudson could not tarnish; and to get the money *stamped*, that it might appear as brilliant as the talents of our forefathers.

8. Now the commissioners assembled together, and said, who shall do us this great work; shall we divide the work of the fathers of the Yorkites amongst the tribe of *Printers*? and there arose a great contention.

9. And D—— McC—— rose up and said, our money, at which the people cry out, saying, it is waxen old, and defaced, was not well strucken; let us therefore employ a man who is acquainted with *money-making*? and it will be well strucken, and the people will rejoice.

10. And H—— W——, said unto him, where will you find such a man.

11. And D—— McC—— replied, and said unto him; you well know, that our good and trusty friend, H—— G——, the pressite, is well versed in this business. Did he not make DREAMS of *paper-money* for the *Yorkites* at the time the *Britishites* possessed these strong holds, at a low rate.

12. And did he not even sell it to the *Yorkites*, without the walls of the city, for a little more value than would pay for the paper on which it was printed!

13. This was perfectly well remembered; and H—— G——, the pressite, was appointed to print the money.

14. Now, for the remaining chapters of the Chronicles of the Yorkites, will they not be written, &c.

1. Reprinted: Poughkeepsie *Country Journal*, 15 April.

219 A–D. Performance of *The Play The Convention* in New York City, 4–8 April 1788¹

219-A. *New York Journal*, 4 April¹

THEATRE.

By the Old AMERICAN COMPANY.
Mrs. Henry's Night.
On MONDAY Evening, the 7th of April,
Will be presented,
A COMEDY,
CALLED
More Ways than One.
To which will be added,
A serious PASTORAL in TWO ACTS,
(Never performed) adapted to the Stage, by a

CITIZEN *of the* UNITED STATES,
 CALLED
 The CONVENTION,
 OR
 The Columbian Father.

With New Scenery Incidental to the Piece.

IN ACT 1st.

*A Procession of the THIRTEEN STATES,
 From the TEMPLE of LIBERTY.*

☞ The Doors will be opened at Half after Five, and the Curtain drawn up precisely at a Quarter after six o'Clock.

* Box 8s.—Pit 6s.—Gallery 4s.

VIVAT RESPUBLICA.

219-B. *Theatricus*

*New York Journal, 7 April*²

THEATRICAL.

Mrs. H——'s night calls for the liberality and patronage of theatrical connoisseurs, and the American Tories and Antifederalists no doubt will attend the pastoral drama of political farce called the *Convention*, which I suppose means to represent herdsmen, shepherds, and ploughmen, bending the brow of wisdom, and forming systems of government.

The musical tribe of every distinction will no doubt aid with their bounty the magnificent, splendid and courtly miller's daughter. The jolly sons of song and mirth, who quaff their British nectar in the well-selected societies of the beer-house, and the grave Amateurs of psalmody, who have formed a musical society composed of church clerks, will we hope attend the benefit. The boarding-school romps will not neglect the Madcap; and the demireps will certainly reward the well acted Mrs. Fulmer—those whose minds are toned to melancholly, and who love the *luxury of woe*, will recollect how she realized the dramatic fictions of tragic distress and madness, by the alternate powers of her *petite* and energetic voice;—her manners gave a dignity to tragedy which outstrips the poet's imagination:—Shakespeare, one would think, had begot her on Melpomene, as her common deportment represents something more than the majesty and *hauteur* of tragic queens.

We ought to remember her *condescension* in entertaining us with a musical fete when she was an independent gentlewoman, and only acted with a view of pleasing this audience, and promoting the benefit of a *lover* and *brother*.—With an education by no means theatrical, and dependant, she exposed herself a second time, when a gentlewoman, on the stage, for the benefit of an old friend and *poor* performer. Those who have no theatrical passions will certainly give their countenance to a woman who has given such instances of condescension, generosity, and *disinterested friendship*.

Saturday, April 5, 1788.

219-C. *William Heth Diary*
*New York, 8 April*³

Tuesday 8th. Apl—Accompanyd Miss Clara Chapman Mrs. J. Lamb to the play last night—*There is more ways than one*—and *the Convention or Columbian father*—, the latter, said to be the production of Mr Henry—A very full House being for the benifit of Mrs. Henry,—who is raly, a most Pleasing Actress, & bears an excellent private character—a rainy night & some smart showers thro' the day.

219-D. *New York Daily Advertiser, 11 April*⁴

A correspondent wishes to know why the piece performed at the Theatre last Monday, should have received such a misnomer as the *Convention*, which giving an idea of party was of infinite detriment; he wishes it altered, as being fraught with injury to a Pastoral replete with *Morality, Sentiment, and Compliment to the Country*. The procession of the *Thirteen States Cincinnati*, &c. far exceeded any paraphernalia our Theatres have produced; and the repeated bursts of applause, with which it was received, does equal honor to the taste of the audience, and the abilities of the author, (who we are informed, is one of the managers) and will, it is presumed, be an incitement to gentlemen of genius, to bring forward such dramatic productions as, by tending to the improvement and instruction of our growing youth, do real honor to human nature.

1. The advertisement also appeared in the *Journal* on the seventh and in the *New York Morning Post* and *New York Independent Journal* on 5 April.

2. Reprinted: *Boston American Herald*, 18 April.

3. MS, Heth Diary, DLC.

4. Reprinted: *Pennsylvania Journal*, 16 April.

220. New York Journal, 4 April 1788¹

From the POUGHKEEPSIE ADVERTISER.

The M——r of N. York, and the K——'s county judge,
 And L——e the lawyer to Poughkeepsie did trudge,
 To hasten their journey they went in a waggon,
 To settle the hash and send Anti's back jogging;
 The road it was rugged the waggon did jolt,
 And the M——r of N. Y——k slunk a federal colt.

1. Reprinted: *New-Hampshire Spy*, 15 April.

**221. Henry Oothoudt and Jeremiah Van Rensselaer to Jellis Fonda
 Albany, 5 April 1788 (excerpt)**¹

... How Goes Matters with you in the Federal and Antifederal way have you Amongst you Agreed to a Nomination of Delegates. Do you not Suppose we are [— — —]

We have received a Letter from Columbia County respecting the Senators they have Agreed on Peter Van Ness and Mean to Support him Could wish if he

meets with your Approbation you will Give him your Vote and Interest. We Suppose when you are Informed that the Districts of Kings Hilldale and Kinderhook have Nominated him and will Support him you will not object to his Election they Supported you list your Warmly and have always been for the Interest of Your County when Opposed a him on the Subject

1. RC, Manuscripts and History Section, Accession #BA9691, N. The letter was addressed to Fonda in "Palatine dist[ric]t/Montgomery County."

222. *New York Daily Advertiser*, 8 April 1788¹

By a gentleman from Albany we are informed, that a prosecution has been commenced by Abraham Yates, jun. against Messrs. Claxton and Babcock, printers of the *Federal Herald*, for the insertion of sundry pieces in their newspapers, reflecting on the conduct and principles of the author of the *Rough Hewer, Sydney, &c.* !!!

1. Reprinted eight times by 26 May: Vt. (1), N.H. (1), Mass. (1), R.I. (2), Conn. (1), Pa. (1), S.C. (1).

223. *New York Packet*, 8 April 1788¹

A Gentleman from the State of Rhode-Island informs us, that the reference of the proposed Constitution to the people at large in that State, originated from a full conviction in the Legislature, that it would be rejected. The minority persuaded of the impossibility of effecting a change, refused to vote in town-meeting, upon the question. Newport, Providence, and two or three more towns being decidedly right, carried the business submitted to them by forming memorials to the General Assembly, requesting them to appoint a Convention, agreeably to the recommendation of Congress. In other towns the minority protested against the propriety of the proceedings, and withdrew, so that the State at large will appear to be unanimous. The fact however is, that seven-ninths of the people adhere to their paper system, and consequently are opposed to every measure of a general nature. They exhibit an example that will soon be followed by the other States, if the habits of government should be a little more relaxed. All men are alike; circumstances only form the general character.—The policy of Rhode-Island is repugnant to hypocrisy. They blush not at six for one, while seven per cent discount is within the vortex, though not so perceptibly of the same disposition.

The freedom of the human mind in its various operations is exemplified on no subject in a greater degree than in its reflections on the opinions on matters of government. The wise and good have been more dissentient on political topics, than on any other which have exercised their understandings, or excited their honest feelings. Hence the variety of opinions on the proposed Constitution ought not to surprise us, nor indeed should we even regret a diversity of sentiment, that will, ensure our safety, if regulated by reason, integrity and mod-

eration. We see and feel the indispensable necessity of union among the States. We know, too, that our present articles of confederation are faulty on some important points and do not extend to many others which are requisite to the existence and administration of government. Let not then a too excessive jealousy prevent a *trial* of the proposed plan. Amendments have been proposed in the way the Constitution points out. The most jealous friends of liberty in America have acquiesced with a frank and noble spirit in the adoption of the government, when they found amendments, were to be recommended to the first assembly of the States under the new Constitution. They saw that the edifice contained many valuable materials, judiciously combined, and though they were of opinion that it was not perfect, yet they thought it more easy and more safe *to attempt to complete this*, than to overturn the whole, and attempt to build one anew. We know, without doubt that this Constitution is a well intended attempt of men, many of whom possessed our sincerest affections and high esteem before the revolution, and who possessed them afterwards. If we were to form a list of characters to whom America owes in the most eminent degree her freedom and independence, omitting the worthies of whom Providence has been pleased to deprive us, we shall find a great proportion of them on the list of the Convention, and a great part of the others may be counted among the friends and supporters of the Constitution. Let us not then suppose that these men could combine *to cheat* their country of property—liberty—and all happiness. 'Tis too unkind, too harsh a suggestion. It cannot be agreeable to a just and grateful people, that the yet tender wounds of patriot valor should be excoriated by the *brand* of traiterous conspiracy.

'Tis said by the votaries of *the divinity of Kings*, that we have chosen forms of government which cannot be administered. Let us take care that we do not become melancholy examples, by which the *supposed* truth of their assertions may be apparently established. Republics, we trust in Heaven, can be energetic, wise and upright. Yet we must candidly acknowledge, that *it yet remains* for America to establish, by her example, the truth of this position. Hitherto our governments have wounded our best feelings, by their alternate want of efficiency, honesty and wisdom. Mark well, then, the patriot members of the State Conventions, the present condition of things, and consider, before you throw away the opportunities of this your day, the future prospects of your country.

1. Reprinted in the New York *Daily Advertiser*, 9 April, and in whole or in part in six out-of-state newspapers by 28 April: R.I. (1), Pa. (4), N.J. (1).

224. A Dutchess County Rifleman Poughkeepsie County Journal, 8 April 1788¹

(Although the following is dated more than six weeks ago, it was not received till last Friday, and could not appear sooner.)

Mr. POWER,

SIR, Please to give the following a place in your paper, and oblige some of your constant readers.

To Mr. Dutchess County Farmer,

SIR, I observed in the Poughkeepsie Advertiser, No 134, an extraordinary performance under your signature, which seemed to be pointed with gross invectives against two very respectable gentlemen, whom you are pleased to hold up to view at one time by the names of Robert Yates, and John Lansing, Esq's, and at another by the contemptuous titles of ambitious Demi-Gods of the north; it must be confessed, I own, that they came from the north, and that their good abilities and conduct is too well known to the discerning inhabitants of Dutchess, to suffer much from your aspersions: At the same time I am at a loss to know from whence you originated, and must determine that matter altogether by conjecture: The most probable presumption arises from your mode of attack, which seems to be under coverture of the bush, whilst your more manly antagonists are exposed to open view, and nothing to shield them but their natural prowess and justice of their cause. From these premises I should suppose it will follow, that you are not a Dutchess County Farmer but a Chicksaw warrior, and a Demi-God of the west, who has been wont to prowl the wilderness, and when you had discovered forms differing from yourself, took them for enemies, and gave the shot while yourself lay concealed in a thicket: I therefore believe you will find that a Demi God of the west will dwindle to a mere Indian in Dutchess county. Now on cool reflection, can you suppose it was the intention of your sachems to send you to Dutchess county to stalk from the Court-house to the Printer, then cross Hudson on the ice and return to your tribe?

Here, sir, I take my leave of you, wishing I may never hear of any more of your exploits in the farming way: For notwithstanding my disapprobation of you as a farmer, yet I sincerely believe in a situation more adapted to your inclinations, you would make a valuable member in the tribe from which you originated.

February 22d, 1788.

1. This is a response to "A Dutchess County Farmer," Poughkeepsie *Country Journal*, 26 February (RCS:N.Y., 815–18).

225. Ebenezer Hills

Poughkeepsie Country Journal, 8 April 1788

☞ The Subscriber hereby informs his Customers that No. 141 completes the first quarter of his riding as Post with the POUGHKEEPSIE ADVERTISER—and flatters himself ALL will say he has done his part as far as the roads and weather would permit—and therefore, as the task is troublesome, and the expence great, they will none neglect leaving the pay for the first quarter with him, or at the places where their papers have been directed to be left. He hopes his Customers will take due notice of this request, and not put him to the necessity of throwing up the carrying of the papers at so critical a juncture as the present, when every mouth is open to hear the situation of public affairs—which, if he is not paid, undoubtedly will be the case.

226. An Antifederalist**New York Hudson Weekly Gazette, 10 April 1788**

Mr. Printer, In a cursory view of your paper, of the 3d of April, I had my attention engaged by the piece addressed to the antifederalists of our county.

I must assert that its titular caption seemed to intimate that the contents of it would contain some persuasive arguments to induce them to discard every anti-federal idea: but the very commencement clearly suggests the contrary, as he, at this late day (when so much on the subject has appeared without avail) exhibits an uncommon degree of arrogance in presuming that his publication should be acceptable to the public without the sanction of his being either a person of information or of reason, this latter in clear from his fictitious signature and his unfound ideas.

It appears as if he is a scholastic genius by the novelty of the terms otherwise they must be peculiar to some obscure territory or contracted sphere of life.

It in one part strongly favors of the egregious terror (he is in) of the Algerines, affording reasonable foundation of conjecture that his ideas must be confused when his perturbed brain suggested the communication of his unconnected sentences and their unfound principles.

I could wish, Mr. Stoddard, that the Citizen would subscribe his name in his next piece to afford weight to his reasoning; as all antifederalist stand open to conviction, but will ever reject the bare declarations of arrogance, despotism and delusion.

Claverack, April 4, 1788.

227. New York Hudson Weekly Gazette, 10 April 1788

To the Inhabitants of the United States of America.

At a time when many are engaged in writing and speaking both for and against what is called the new constitution. As a citizen of one of those states, and as a friend to mankind, I take the liberty to communicate my ideas on constitution and laws, &c. I suppose that he that made man was perfectly acquainted with what was needful to govern him, and in wisdom and justice, did give man as much law as was necessary for that purpose, if duly attended to. I do not consider it is requisite for me to attend to any thing of that nature, further than the law of the Lord, and the constitution of HIS establishing. The spirit and substance of which I understand thus 'As ye would that others should do to you, do ye likewise unto them, for this is the law and the prophets.' And, as I understand it, we have a particular act, made to direct us in appointing judicial and executive officers, viz. 'He that ruleth over man must be just, ruling in the fear of the Lord.' Such, I conclude, will be able to officiate 'in the spirit and in the understanding also.' I believe if we obey those excellent laws given us by the supreme legislator, especially that of 'loving one another,' and that spoken through saint Paul, 'If any man love not our Lord Jesus Christ, let him be anathema maranatha,' we shall be happier than under any other constitution whatever. And if we neglect so to do, I look upon it impossible to frame any constitution, or system

of laws whatever, under which we can be united and happy: but all attempts of that nature, I expect, will finally end, as the building of Babel did, in confusion and disappointment. When we need more laws I depend the same excellent legislator will bestow them upon us, but this we may hardly expect, until we govern ourselves by what is already given us. Understand and consider these sentiments before you condemn them.

A Wisher of Man's Happiness, here and hereafter.

228. *New York Journal*, 10 April 1788

MR. GREENLEAF, In one of your papers of last week there was a curious variety of characters recommended for the assembly, which would have formed a Mosaical, or rather a linsey-woolsey representation. As individuals have formed lists, and they have been noticed by you—I lay claim to your attention, I am also the reader of your Daily Patriotic Register, and an admirer of your decided spirit in the federal and antifederal controversy.—The representation, immediately after the war, was composed of men who were fervent, bigoted in their political zeal, and warm in their resentment; and their feelings were vindictive; their intemperance and indiscretion banished properly, and subjects—their rage was timely appeased by lucrative offices.—The rage of a lion is generally calmed by a bone.—Since that period some tories have been smuggled into administration, and their speeches have been heightened with the bright colors of patriotism; but these mixtures do not amalgamate on the political canvass, and no political chymistry can effect an union of such averse and discordant parts.

I now present you a homogeneous representation, composed of men united in principle, property, and talents.—The leading interests of the town are provided for by the most natural representatives. This party has suffered too long an impolitic exclusion from the office of government, and we ought now in good policy to make an experiment of their talents, and experience. The Scots who delighted in rebellion, as the fish do in water, and who were attached to despotism and the Stewarts, have now become affectionate and loyal subjects since the princes Dowager yielded her person to a Scot, and a Hanoverian usurper has administered to their hunger the loaves and fishes, and given to their ***** the "luxury of breeches." Mansfield's brother was a confidential secretary to the pretender, and he himself, in a convivial moment, drank the health of the pretender on his bare knees. Bute, and his ancestors, had these prejudices—the one is now chief justice of England, the other has been a minister. The sons of those who fought in the battle of Culloden, now enjoy commissions in the English army. Government has wisely done away these prejudices by a political attention and liberality. Their loyalty, their bread and butter are now combined, and these political converts, would now a second time betray a Stewart, and would defend the Hanoverian family with their lives, and would "perish in the last dyke of the prerogative."

The history of nations should teach us a lesson of wisdom—revenge, and resentment should not interrupt the suggestions of wisdom and policy. If popular governments do not succeed in politics, it is owing to their being governed

generally by their passions; and then they move, as Montesque expresses it, with rapidity, and a hundred feet. The people are strangers to reason, and that advice, which contradicts their petulant humours, is like water spilled upon a rock. Perhaps this may be the crisis of good humour; and with hopes, mixed with sentiments of respect, I now lay before the majesty of the people my representation.

John Hopkins, ¹	}	<i>The Quaker interest.</i>
Robert Haydock,		
John Wood,	}	<i>The law.</i>
Richard Harrison,		
Robert Elder,	}	<i>Navigation.</i>
Thomas Vardell,		
Alexander Ogsbury, II	}	<i>Mercantile.</i>
(a)Wm. Wagener,		
Wm. Keppen,	}	<i>Mechanic.</i>
(b)Abraham Watson, ²		
Doctor Bayley,		<i>Medicine.</i>

SENATORS,
 (c)WILLIAM LUDLOW,
 NICHOLAS COVENHOVEN,
 PHIL. LIVINGSTON, *FrogsNeck.*

- (a) He has law enough left to be a speaker of the house.
 (b) He has established a nailery.
 (c) From a querolous habit, he knows every defect of government.

1. Corrected to Samuel Hopkins in an errata published in the *New York Journal*, 11 April.

2. Corrected to Abraham Walton in an errata published in the *New York Journal*, 11 April.

229. John Story to Rufus Putnam
New York, 12 April 1788 (excerpt)¹

. . . Convention business goes on slowly. . . .

1. RC, Ohio Company, Marietta College Library.

230. "A. N."
New York Daily Advertiser, 12 April 1788

Mr. CHILDS, Every paper warrior, who brandishes his pen in party quarrels, is, by the courtesy of late days, stiled a *political writer*, though very few have shewn themselves acquainted with the first rudiments of polity.

Mr. Greenleaf's paper of yesterday, gives us the exhibition of one, who would wish to be thought a satirist; and such is the natural tendency of mankind to malice and detraction, that every scribbler endeavors to gain this character, by throwing filth and calumny all around him. But satire, in the hands of a fool, bears no more resemblance to the delicacy of that art, than the lightning of the play-house to the lightning of the skies: we see a faint flash, and we smell a disagreeable stench, and then it vanishes, without doing any execution.—This writer holds up to view, a nomination of persons to represent us in Senate and Assembly, and in doing it, he discovers both ignorance and malignity. Ignorance, because he is not even acquainted with the real names of the persons he has offered; and malignity, because a few persons, not belonging to his party, though men of merit, have been objects worthy the suffrages of a free people. For my own part, I could heartily wish, that all honest men would enter into an association, for the support of one another, against the endeavors of those, who they ought to look upon as common enemies, whatever side they may belong to. Were there such an honest body of neutral forces, we should never see the worst of men in the great figures of life, because they are useful to a party, nor the best unregarded, because they are above practising those methods, which would be grateful to their faction. We should then single every criminal out of the herd, and hunt him down, however formidable and overgrown he may appear, on the contrary, we should shelter distressed innocence and defend virtue, however beset with contempt or ridicule, envy or defamation. In short, we should not any longer regard our fellow citizens as whigs or tories, but make the man of merit our friend, and the villain our enemy.

April 11.

231. Noah Webster Diary

New York, 13–15 April 1788¹

13 Sunday—At St Pauls—After church, a mob collected at the Hospital, & destroyed all the anatomical preparations; amounting to several hundred pounds value. The cause was, the frequent digging up of dead bodies for dissection—the Students of physic having been shamefully imprudent in taking up bodies of respectable people & without sufficient secrecy—

14 Mob collects to the number of a thousand or two—attacks the houses of Dr Kissam, McKnight, Bailey &c breaks windows, enter & destroy furniture & They then attacked the jail where some physicians were lodged for safety—a small body of armed men defend it—The Governor & Mayor insulted. at evening about forty men armed with muskets & about as many with swords by order of the Magistrates, march & take possession of the jail—the rioters attack them with Bricks bats &c wound Mr Jay Baron Steuben &c—a few shot were fired at them & 3 persons were killed—

15th Militia are ordered out, in New York, on L Island & from West Chester A Company appears in arms—two pieces of artillery are prepared—The populace stand dispersed over Broad way, but dare not collect—& the riot ceased—

A Guard of men had kept possession of the prison, but the rioters broke the windows & doors, & wound several men—

1. MS, NN.

232. William Heth Diary
New York, 14–15 April 1788¹

Monday 14th Apl. a P [cloudy?] morning Clouded up & rained thro' the day—The City a great tumult & disorder occasioned by a Mob which made some appearance yesterday, in consequence of some young Students of Physic being nearly taken in the act of cutting up three fresh corpse.—The wanton manner in which some of those students have rais'd & made use of the dead, has for some time past, inflam'd the minds of people exceedingly—no respect has been paid to rank, age, or sex—and the *numbers* which have been made us of, exceed credibility.—A young gentleman from the West Indies, who died Since my arrival here, was taken up—the grave left open, & the funeral clothing scatterd abroad—And a very handsome Young lady, of good connections and much esteem'd was also recently stole away These outrages occasioned a close watch to be kept upon the young members of the faculty, as well as over the Mansions of the dead.—Yesterday, as some strollers were passing by the Hospital, a *something* hanging at one of the Windows excited their Curiosity, and making use of a Stick to satisfy that curiosity, part of a Mans arm, or leg tumbled out upon them. the cry of inhumanity, & barbarity, was immediately spread—the Young sons of Galen fled in every direction one took refuge up a chimney—The Mob increased and enterd & ransacked the Hospital. In the Anatomy room they found three fresh bodies, one boiling in a kettle & two others cutting up, with such quantities of mangled flesh that it resembled a butchers Shambles—and with certain parts of both sexes, some [pasted?] & others hanging up, in a most brutal situation—These things, together with the inhuman complexion of the room exasperated the Mob beyond all bounds—they destroyd every Anatomy in the Hospital, one of which was of so much value & utility, that is justly esteem'd a great public loss, being prepar'd in a way which costs much time & [attention?] & requires infinite skill to accomplish—The Mob assembled again this Morning & encreas'd to a very alarming Size—(some say 2 or 3000)—denouncing Vengeance against the faculty in general,—some of their Houses were besieged for a while, & two of the Young tribe fell in their hands—But the Mayor obtained them in order to send them to Goal—a measure, to which, in their rage they Submitted, not reflecting that sending them to Goal, woud secure them from their fury & resentment: and therefore, as soon as they found themselves thus defeated, they resorted to the Goal, & commenced a furious assault, vainly endeavouring to pull it down. The Militia were orderd out, & small detachments were sent to disperse them, but these, they instantly disarmd, & b[r]oke the guns to pieces—The Governor late in the evening (about dusk) after trudging about all day, [part?] with the Mob in the Morning endeavouring to pacify and accommodate, & in the afternoon to raise a body respectable enough to preserve the goal &

prisoners, & to restore peace & good order—advanced with a number of the Citizens, but without any kind of Order, or without any other than side arms & canes—while Colo. Fish the Adjut-General led up 2 or 300 yards in his rear about 150 Men (not half with fire arms) of whom were many gentlemen of the City, & Strangers volunteers—This body were not long before the goal, before the bricks & stones from the mob, occasioned a few guns to be discharged—and (in the whole) perhaps 60 might have been fired—They made their way good into the goal & a party remained all night—but a sally of 60 or 70 were defeated—as I was standing with two or three other spectaters before St Pauls Church a ball came so near to us, & to induce us to move off pretty quickly—

Tuesday 15th Apl—A clear day—The Militia turnd out pretty cleverly to day, both Horse & foot, & swaggerd about a good deal—but it must be rememberd; *the Mob were no more* In truth, such was the cause of the Peoples assembling in that unwarrantable Manner, that numbers who were with the Mob, yesterday—turned out to day, to support government—Three of the Mob were killd on the spot, & one died to day of his wounds—several others are wounded. Numbers on the Governors side, beside himself got severely bruised & wounded—Baron Steuben recd a wound between his eyes, from wch. he lost a good deal of blood—and Mr Jay got his Scull almost crackd—they are both now laid up.—Dind with Colo Burr a rainy evening—A fire broke out in Johns street, almost opposite & near to our lodgings—but twas soon extinguishd—

1. MS, Heth Diary, DLC.

**233. Rudolph H. Van Dorsten to Peter Van Gaasbeek
New York, c. 15 April 1788 (excerpts)¹**

. . . I learned yesterday from Albany that the Antifoederalists' party is Strongest there. I hear they are much divided in dutchess County, but pretty unanimous in Ulster & Orange. . . .

In the City of Newyork I am told the foederalists will Carry it; it will be necessary for the other party not to Slacken in their Endeavours. . . .

I Send you by the Bearer a pamphlet for your perusal and those of your friends

1. RC, Van Gaasbeek Papers, Senate House Museum, Kingston, N.Y.

**234. A Citizen
New York Hudson Weekly Gazette, 15 April 1788**

Mr. Stoddard, It is a maxim with some men when they cannot answer arguments that come too close to them, to have recourse to falshood and scurrility—The learned genius who has come forward in your last gazette, under the signature of “an antifederalist,” though, almost too insignificant to demand an answer, yet, lest silence on the subject might give him cause of exultation, I shall say a few words to him by way of reply. Now, sir, let us see what this learned gentleman says—we shall begin with him, and quote his words verbatim. The first paragraph of his argument—“I must assert that its titular caption^(a) seemed to intimate that the contents of it would contain some persuasive arguments to

induce them to discard every antifederal idea: but the very commencement clearly suggests the contrary, as he, at this late day (when so much on the subject has appeared without avail) exhibits an uncommon degree of arrogance in presuming that his publication should be acceptable to the public, without the sanction of his being either a person of information or of reason; this latter is clear from his fictitious signature, and his unsound ideas." I acknowledge, sir, the contents of the piece signed "A Citizen," were meant to induce honest antifederalists (for some there are) to think for themselves, and not to pin their faith on the sleeve of any man, however great and opulent; but nobly reject endeavours to weaken the federal edifice, lest they should expire beneath its ruins. All that has been said and written on the subject were not without avail, if so, how comes it that men of the first learning and abilities, gave up tenets which they could not longer conscientiously hold; and embraced a constitution, which, upon consideration, they found the best that human ingenuity, and foresight, could have offered to an almost ruined people—ruined, because divided, and divided, could not stand. As for the arrogance and presumption attributed to me, I must acknowledge that it comes with due force, with respect to making the smallest impression on this antifederal ass; it may not be unapplicable to repeat the words of Hudibrass to him,

"A man convinced against his will
Is of the same opinion still."

It gives me pain, sir, to be under the necessity of contradicting some of this gentleman's assertions in rather plainer terms than I could wish, if I found it avoidable—That the signature I used was anonymous, must be plain to every person who is acquainted with the definition of the word—but that it is fictitious, is false—and as I find myself in a good humor, and in the habit of obliging this gentleman, I will consent that he shall place the whole class of his assertions under this head; if I am not mistaken, they will be placed in not altogether an ineligible situation.

His next paragraph—"It appears as if he is a scholastic genius by the novelty of his terms, otherwise they must be peculiar to some obscure territory or contracted sphere of life."—It may, perhaps, suffice in answer to the first part of this paragraph, that I do not pretend to be a writer, and I am certain if no person was to be admitted to offer his opinion on public matters, but a writer, there would not have been the one tenth part written on the subject of the new constitution, and him and his scurrilous performance would have been consigned to the regions of obscurity—as for a contracted sphere of life—it is a sentiment so much below my notice, that I do not think it worth commenting on—I am always ready whenever called on to explain that matter.

His third paragraph—"It in one part strongly savors of the egregious terror (he is in) of the Algerines, affording reasonable foundation of conjecture, that his ideas must be confused, when his perturbed brain suggested the communication of his unconnected sentences and their unsound principles." This certainly savors of the kind wishes he entertains for the commerce of America, and those now detained in slavery—it savors of his anxious solicitude for the future prosperity of his country, and it lastly savors that he is either wilfully or totally ignorant of the matter—these "unconnected sentences and unsound ideas,"

although they are so termed, are such sentences and ideas as all the rhetoric of his shallow brain cannot contradict: in a word, sir, if they were not conveyed in a rich wardrobe of language, yet they were in the heavenly garb of truth, which as the Poet says,

“In its own shape how lovely.”

A few words to this gentleman by way of conclusion—He says “all antifederalists are open to conviction,” yet all that have been said was without avail—What a wonderful proof of being open to conviction! He has passed sentence on the arguments he wishes me to give weight to—how? to sign my name in a public paper—I can’t gratify him—but let us see, can’t we compromise the matter? well, Mr. Printer, to oblige him I send you my name, and, whenever this gentleman calls to your office and leaves his, he shall not find the cause of federalism deserted.

Hudson, April 11, 1788.

(a) The piece signed a citizen.

235. Poughkeepsie Country Journal, 15 April 1788

A CARD.

A friend to propriety begs leave to ask the author of the Dutchess County Rifleman, if he does not think an attempt to defend the conduct of those gentlemen whose *conduct* and *abilities* he appears to have so high an opinion of, would not have been a much more rational undertaking, than running conjectures on the origin of their accuser.—If the author of the Dutchess County Farmer has wantonly aspersed the characters of Mess’rs. Yates and Lansing, he ought to be stigmatized by every honest man; but if on the other hand, he has (as is the duty of every good citizen) only exhibited the public errors or misconduct of men high in the confidence of the public, then ought he to meet the approbation of every well wisher to good government, whether he be an Indian, European, or Chinese.—Perhaps while conjectures are in fashion, it may not be improper to presume, that this Rifleman would wish not only to keep himself, but the conduct of his friends under cover, his attempts to divert the attention of the public, by throwing objects foreign from the enquiry in the way, may tend to strengthen this conjecture.

10th April, 1788.

236. Henry Chapman to Stephen Collins New York, 16 April 1788 (excerpt)¹

. . . This City has been unhappily agitated by a riot which commenced last Sunday afternoon occasioned by the too incautious conduct of the Surgeons pupils respecting the practice (perhaps necessary though obnoxious) of removing dead bodies for dissection after interment. Some lives have unavoidably been sacrificed on this occasion and it now seems to have Subsided pretty well. . . .

1. RC, Papers of Stephen Collins & Son, DLC.

**237. William Heth to Edmund Randolph
New York, 16 April 1788 (excerpt)¹**

... We have been in a state of great tumult for a day or two past. The causes of which, as well as I can digest them from various accounts, are as follows.—The Young students of Physic, have for some time past, been loudly complained of, for their very frequent and wanton trespasses in the burial grounds of this City.—The Corpse of a young gentleman from the West Indies, was lately taken up—the grave left open, & the funeral clothing scatterd about.—A very handsome, & much esteemd Young lady, of good connections was also, recently carryd off—these, with various other acts of a similar kind inflamed the minds of people exceedingly, and the young members of the faculty, as well as the Mansions of the dead, have been closely watchd.—On Sunday last, as some people were strolling by the Hospital, they discoverd *a something* hanging up at one of the Windows, which excited their Curiosity, and making use of a stick to satisfy that curiosity, part of a mans arm or leg tumbled out upon them.—The cry of barbarity &c was soon spread—the young sons of Galen fled in every direction—one took refuge up a chimney—the mob raisd—and the Hospital appartments were ransackd. In the Anatomy room, were found three fresh bodies—one boiling in a kettle, and two others cuting up—with certain parts of the two sex's hanging up in a most brutal position—these circumstances, together with the wanton, & apparent inhuman complexion of the room, exasperated the Mob beyond all bounds—to the total destruction of every anatomy in the Hospital—one of which, was of so much value & utility, that it is justly esteemd a great public loss having been prepared in a way, which costs much time & attention, and requires great Skill to accomplish.—On Monday morning, the mob assembled again, and encreased thro' the day, to an alarming size. Vengeance was denounced against the faculty in general, but more particularly against certain individuals—Not a Man of the profession thought himself safe—An innocent person got beat & abused, for being *only dressd in black*—Two, of the young tribe, were unfortunate enough to fall into their hands—But the Mayor obtained them, upon a promise of sending them to goal, a measure to which in their rage, they submitted not reflecting, that *sending them to goal*, would secure them from their violence & resentment, and therefore, as soon as they found themselves thus defeated in their furious intentions, respecting their captives they repaired to the goal, & commenc'd their attack (with all that intemperence & folly, which ever marks the conduct of people assembled in that way) —vainly endeavouring to break in—when they could do nothing more than break windows &c—which they will be tax'd to repair.—The militia were orderd out—small parties were sent to disperse them, but they instantly disarmd these detachments & broke their guns to pieces, & made them scamper to save their lives. The evening advanced a pace & the affair became very serious.—The Governor, after trudging about all day—first *with* the Mob in the morning, endeavouring to pacify and accommodate; and in the afternoon, to assemble a body *respectable enough to preserve* the Goal, & to restore peace & good order advanced about dusk, with a number of the Citizens but without any kind of order, or without any other than a few *side arms*, & canes—while the Adjutant Genl of the Militia about 300 yards

in his rear, led up in very good order, about 150 Men—(tho' not more than half with fire arms) among whom, were many gentlemen of the City, & Strangers volunteers.—This body were not long before the goal, before the bricks & stones from the Mob, provokd several to fire—& perhaps, their might on the whole have been 60 guns discharged—but this is mere guess—This body, made their way into the goal, where a party remaind all night—but a sally of 60 or 70 were defeated.—Three of the mob were killd on the spot & one has since died of his wounds, & several were wounded—One of them was bayoneted on attempting to force into a window of the prison, which he saw filld with armd men, a proof of the astonishing lengths to which popular rage will sometimes carry men.—Members on the Governors side, beside himself, are severely bruised. Baron Steuben recd a wound just above the corner of his left eye & nose—from which he lost a great deal of blood—Mr Jay got his scull almost cracked—and are both now laid up—Genl Armstrong has got a bruised leg—but is able to go out.—

Yesterday, the militia turn'd out again, made a respectable appearance, & paraded about exceedingly—both *Horse & foot*—but it must be observd, *that the enemy were not to be heard of.*—In truth, numbers who were *in the Mob on Monday evening* turn'd out *yesterday to support government.* . . .

1. RC, Executive Papers, Archives Division, Virginia State Library. The letter is marked "Private."

238. New York Journal, 16 April 1788

Extract from a Newspapers, dated in the year 1784.

Being a PROPHECY of the Fate of AMERICA.

In the year 1793, the United States of America will establish the form of their republic, after having undergone a great many changes in it. In the year 1800, they will have a formidable navy, and their trade to the East-Indies will be firmly established. In the year of 1807, the north-west passage of the Hudson's Bay, to the Cape of Good-Hope, will be discovered; a passage so often tried for. In the year 1810, a new form of government will take place, by the establishment of an republican head, in the manner of the Stadtholder of the Seven United Provinces. In 1820, the settlements of the Indians that live near them, will be entirely destroyed; and those that they have not vanquished, will be driven to the inaccessible mountains of the interior parts of the country. By that time, they will have made themselves entirely masters of the Furr trade. At last, in 1876, which will be a century of their Independence, the different powers in Europe, that have possessions in the West-Indies, will guarantee them to each other, in opposition to their plan of driving the Europeans out of that part of the New-World.

239. Connecticut Fairfield Gazette, 16 April 1788

From letters received per the Edward, from New York, we learn, they have had the severest winter there and in Pennsylvania, that they had ever experienced. The East-river, at New-York, had been froze over and crossed on the ice, where it had never been crossed before. Fire-wood was Twelve Dollars the cord, and

every thing scarce. That what with the sufferings occasioned by the severity of the winter: the weight of taxes, which were already beyond all bearing, and were expected if their new government took place to be greatly increased; the expected confusion and discord from the various opinions respecting the adopting the new Constitution, the scarcity of cash, &c. &c. had determined numbers to quit the country, many of whom had declared they were determined to settle here. The papers brought by the Edward, contain very little other than disputes on their new Constitution. The accounts from Europe are to the 30th of December, but totally uninteresting, other than that the French discontents increased very fast. The Count de Monsiers the new French Plenipo to America, had been received in Great Stile by Congress. The Convention for New-Hampshire had met, but not being able to agree about their new Constitution, had adjourned to June next. The New-York Assembly had resolved for a Convention by a majority of two, and in the Assembly for S. Carolina, it had been carried by a majority of one only.

240. Martin's North Carolina Gazette, 16 April 1788

This account of the violence in Dobbs County, N.C., during the first election in that county for delegates to the North Carolina Convention was reprinted in New York four times. For this account, see RCS:N.C., 184–85.

**241. Louis-Guillaume Otto to John Kean
New York, 17 April 1788 (excerpt)¹**

. . . Congress has only four States upon the floor and gives a new proof of the necessity of a change in Government. Without this it is impossible that America should have any importance abroad, nor perhaps happiness & tranquillity at home. . . .

1. RC, Kean Papers, Liberty Hall, Kean University, Union, N.J.

**242. William Bingham to Nicholas Low
Philadelphia, 18 April 1788 (excerpt)¹**

. . . I should be hoping to know what is the Complexion of your Politics from the returns that have been made of Election for your Convention

1. RC (photocopy), Thomas Wilson Collection, Broome County Historical Society, Robertson Center for the Arts and Sciences, Binghamton, N.Y.

**243. Victor Du Pont to Pierre Samuel Du Pont de Nemours
New York, 18 April 1788 (excerpts)¹**

. . . I am going to send you the Federalist of Colonel Hamilton which he had printed every day in the newspapers under the pseudonym of Publius. It is to him that America owes its new constitution. It is he who by an adroit maneuver caused the plan to be adopted and it is he who wrote every day during that time

to prove the necessity of the government. If I had had the time, my intention was to have translated his *Federalist* which has been assembled into a single volume for which I have subscribed and which I am told appeared several days ago. If you cannot read it in English you can have it translated by Mr. de la Garde. . . .

. . . The time and the place when each state must accept or reject the new constitution is fixed. Several have accepted the others will declare their sentiments at the appointed time, otherwise I think that no one here is of your opinion when you say that nothing is urgent about giving America a stable government, the position of a country as vast without laws, without authority, without armies, without a penny to pay a regiment or equip a vessel of war or build a road or public monument seems to require as promptly as possible a government which can render it respectable and respected. . . .

I must tell you about a small kindness in which American liberty indulges (or permits) which caused more good and demonstrated better the necessity of a government to all the antifederalists of this place and especially to Governor Clinton, who is their head, than all of Col. Hamilton's good writings which they never read. As I missed being killed there 2 or 3 times, I am able to give you an exact account.

Already for some time it has been rumored that the surgeons have been exhuming all the newly interred corpses during the night in order to dissect them. Numerous persons of note have been named who, it is said, have been doing it. People are getting excited. Americans in general, strongly inclined to think well of them, imagine that they were the only ones in the world who [sift through?] skeletons and that they have been furnishing them to France, England, Spain, and the [— — —], that this was a considerable commerce, and that each packet boat left loaded with their fathers and mothers and their children which they had disinterred and dissected [on purpose?]. A small army assembled on the 13th in the afternoon and went to the hospital to visit the study room of the young surgeons whom they found, in effect, working on a corpse. Without finding out if this corpse had been disinterred or not, they seized all the students and took them to prison. The next morning an even larger mob decided to go pay a visit to the homes of all the doctors in the city and to raze those where they found a skeleton, after having taken such doctors to prison. Governor Clinton and [Major Peter?] Kemble (on the pretext of popularity, but for very base political motives, which accustom the people not to respect them any longer) ran on foot throughout the entire city in the mud, acting like rascals, at the head of the mob, in order to restrain them and prevent them from breaking the windows and knocking down the houses of the doctors who had either hid everything or fled. They talked of going to visit the packet boats and among the French Mr le Comte had Cannons pushed outside, loaded with grapeshot, in order to give them a fine reception. In the afternoon, the mob, which had grown considerably with all the sailors of the port, not finding anything to satisfy their rage, decided to go and break open the prison and to execute immediately the surgeons that they had taken the day before. Their plan was stopped. The Governor who, after much effort, had succeeded in assembling about 20 militiamen, went to the prison. The mob dragged him in the mud by the hair, they disarmed

the militia, broke their guns and cut their shoulder belts. It began to become serious. It was impossible to gather the militia back together. General Knox and several others gathered together a body of men numbering about 50 men, all French, Germans or English, with very few Americans, all those who were there being members of Congress or general officers, Baron de Steuben, Generals [Moeuil?] and Armstrong, colonels Hamilton, Lewis, and Fish, majors Morris, l'Enfant and Franck, marched at the head of the body, distinguished from the *mob* by a small white piece of paper in their hats. They marched in formation to the prison. I was in the square with Mr de la foret and de Crevecoeur to hear the speeches of the rebels and to see what would happen next. Baron de Steuben cried out to me while going by Du Pont go inside, we are going to shoot. Good Mr. de Crevecoeur, who could not imagine that they would kill the people that way, said to us quietly, It is powder, surely. Let's stay. They were welcomed in the courtyard of the prison by a volley of stones. Then they did an about-face and after having warned that they would shoot if they did not listen, they fired a general volley into the crowd, in which we were in the middle, and fortunately killed only 4 men, one of which was beside us. The crowd fell back on us and we scattered. These men having left a guard at the prison went out to find the square again. I think that they did not press their advantage. Night began to fall, and in order to retire from the crowd, I set about to run to the rear of the Battalion, but at the moment when I was between the crowd and them, they fired a second volley which thank goodness did not hit me but which hit many behind me. They were thrown back by a shower of rocks and they dispersed. I ran across to find my generous, peaceful, consuls again, about whom I was very worried, when I found Baron de Steuben alone with a man, and he had just gotten hit on the head by a stone which caused him to lose a good deal of blood. I took his sword and I led him by the arm to a [- -] house where they knew him. Next, not finding my companions, I ran all covered with mud to Mr. de Moustier's house, and did my work as aide de camp. There was yet a little skirmish after I left and then everyone separated and all was peaceful. The next day the militia was assembled and paraded through the town. There were 5 men killed, one of which was a sailor on the English packet boat and two negroes, many wounded. In the government party, no one was killed because one can kill less easily with a stone than with a gun but there were several dangerously wounded. Mr. Jay, minister of foreign affairs, who meddled in this affray which was very new to his department, and who received a blow on the head, which made him very ill.

The rallying cry of the *mob* was Goddam the doctors and the powder heads, dieu damne les medecines et les têtes poudrées.

It was good to see men fighting together for the same cause. Colonel Hamilton, the chief support of the federalists, and Governor Clinton, the mortal enemy of all the federalists and of the Colonel in particular.

I forgot to tell you the greatest danger than I ran. In going back to conduct the Baron, and in going along, a sailor who had been wounded in the chest by a musket ball, grabbed me by the collar, and, having seen me with the Baron, told me *it is your men who make me that! I am sorry for it* I said to him *But if you was not been there.* He took me for one of the officers of the government party. He shook me very hard several times repeating to me all the while in a loud voice *it*

is your men. The crowd which gathered would have probably mistreated me if a hiccup of blood hadn't forced that man to release me and I profitted by the first movement his friends made to help him in order to run at top speed to where my duty and my safety called me, to Mr. le comte de Moustier's house. It would have been very sad to be killed by the two factions, as I had almost been, because of my idle curiosity. . . .

1. RC (Tr), Victor DuPont, Eleutherian Mills Historical Library. The letter was begun on 7 April.

244. Samuel A. Otis to George Thatcher
New York, 19 April 1788 (excerpts)¹

The *parties* are hard at it here, and in Virginia—Tis said Clinton will be candidate for the City, & will carry it for Ulster County. . . .

[P.S.] Sunday Evening . . .

You did not mention a word about approaching election. There are several Newspapers arived in your absence which I shall preserve until we meet that you may complete your folios. . . .

1. RC, Dreer Collection, Old Congress, PHi.

245. "X."
New York Journal, 18 April 1788

Mr. GREENLEAF, The American gentlemen who were nominated in your paper of the 10th as representatives of this city, take this opportunity to express their resentment at some parts of the preface, which accompanied the nomination. We are convinced that the reasoning was solid and political, but we feel hurt that the author illustrated his arguments by such a comparison. Proverb says that comparisons are odious, and we feel it so very keenly in this instance. These descendants from the loins of antient but forgotten kings, who ne'er knew the luxury of breeches, have generally acted like the serpent in the fable, and stung the bosom which nourished them. In the West-Indies there is a vine which encircles, and is supported by a tree, which it generally destroys, and the Creols call it the Scotch vine, and no Botanist has ever rejected the term. We hope that these vines will never intrusively creep over any pillar in the federal dome, as it may damage the hardest wood of the American forest.—Their politicks may be dangerous, not from their talents, but their confederacy. They hang in clusters like the excrement on a sheep's tail. These emigrants from a kingdom were "majesty display'd its banners before the world was made," and where milk and honey flows in mingled streams, are apt to smile, bow and profess. Then beware.—Their politesse is like the civiltie and ceremonies of Mackheath. Their conduct in the revolution ought to exclude them from that forgiveness which is now mercifully extended to us. They have committed the unpardonable sin of ingratitude, and deserve a political damnation from the union.

**246. Nathan Dane to George Thatcher
New York, 20 April 1788 (excerpt)**

Last Sunday and Monday this City was in no small disorder—two or three thousand men and boys collected to search the doctors houses for the dead bodies taken from the burying yards, about which much was said before you left this place—they, probably, had it in contemplation to handle some of the doctors and young students in physic pretty severely; but they fled or kept out of the way—monday evening the populace in attempting to brake into the Gaol where two or three of the Students were, and in attempting to abuse and disarm some of the militia called out, were fired upon by the militia, and three or four killed, and several wounded—Mr. Jay got a bad wound in his face from a Stone or brick bat with which he has been confined ever since the populace were blamed for being tumultuous, but I believe but few blamed them for being provoked to take some spirited measures to put a Stop to the improper and unjustifiable conduct of those persons who have plundered the burying grounds—

Nothing material in matters of political concerns has occurred. . . .

1. RC, Foster Autograph Collection, MHi.

**247. De Witt Clinton to Charles Clinton, Jr.
New York, 21 April 1788 (excerpt)¹**

Enclosed is a letter for Mr. Schoonmaker at Sharvanguum—he must receive it before the day of election—if you can get no safe and direct opportunity, you had better take it yourself. . . .

1. RC, De Witt Clinton Papers, Syracuse University, Syracuse, N.Y.

**248. John Bogart to Peter Van Gaasbeek
Albany, 22 April 1788 (excerpts)¹**

. . . I waited on M[esseur]s Ten Broeck with your order. But their time is so much taken up with this Present publick Business, that they have no time to Attend to Business of this Nature. . . .

NB As I have Not Completed the hole of the Papers I Intended by this Opportunity, I thought Best to Inclosed these, and wait for the Next Opertunity to Send the Remainder—

1. RC, VanGaasbeek Papers, Senate House Museum, Kingston, N.Y.

249. From De Witt Clinton, 22 April 1788 (excerpts)¹

It is highly necessary that the accompanying pamphlets should be immediately transmitted. . . . From those you will receive you can judge of their importance. . . . Politics are by no means unfavorable to the cause of liberty. . . .

1. Printed: *Autograph Letters—Manuscripts—Documents*, Catalog No. 9 (1963), Kingston Galleries, Inc., Somerville, Mass., Item 32.

250. New York Hudson Weekly Gazette, 22 April 1788

** A piece signed "An Antifederalist," is received, but is inadmissible, as it contains nothing but private invectives, which we are determined shall never disgrace our paper; nothing but motives of impartiality could have induced us to publish the pieces signed by the Antifederalist and Citizen, in our two last papers; but, we conceive, that motives of impartiality will be still more conspicuous in denying this Antifederalist, and returning his piece, together with the enclosed —, as we will never devote our paper to scurrility from pecuniary motives. All pieces written with decency, whether federal or antifederal, will be inserted without distinction.

"With generous freedom for our constant guide,
We scorn control, and print for every side."

251. New York Packet, 22 April 1788

To Mr. S——, of M—ny County.

SIR, Most people begin to entertain hopes that, that illiberal, contracted, narrow, selfish, spiteful and revengeful spirit, that has so stigmatized many of the laws of this State was nearly done away. But from the debate in the House of Assembly on the 10th of March, it appears that some further purging is yet necessary.—Can the opposition you gave to Mr. Beacon's motion on that day, proceed from any thing but the above described spirit? You well know that most of those persons who were attainted by law, had been gentlemen of the first character in the country, and that it was not for assisting the enemy in making *conflagration, and laying waste the country*, &c. that they were deprived of their estates; but because they had estates; some of them at least were of as inoffensive and good characters as the country afforded, and as much influenced in their then conduct by a love of their country, as the most bigoted whig: but they had estates, and were not to seek for them through the ruin, destruction and devastation of their country; they well foresaw, that if the point aimed at was gained, it would be at the expence of much blood and treasure; and they also foresaw the consequences, that we now all so wofully experience:—Should not this lead you to a more forgiving temper? Besides, experience may convince you (if you are to be convinced) that some of those men that you brand with such opprobrious names, are now as well as them, the best subjects and friends to government: witness their being now uniformly of those that are called Federalists, which shews that the happiness of their country is still the object they have in view. But were they governed by such a spirit as seems to influence all the councils against them, they would be for encouraging every opposition to a stable and well concerted plan of government, and rejoice at the present appearance of disunion and discord among the States as a fulfilment of what they foresaw.

(*The above is inserted by particular request.*)

252. Alexander the Great
Poughkeepsie Country Journal, 22 April 1788

To those who wish for the establishment
of the newly proposed Constitution.

My dear brother Partymen, I intreat you to persevere in your present resolutions, and not give way to the arguments of the opposite party, nor even hear or read them: I find that reasoning is not a suitable thing in the present case. One argument indeed we may produce in favor of the new Constitution, that is, it is proposed to us by a convention of *wise men*; therefore it must be right.—Let us not examine the matter too narrowly, lest we be led into the same opinion with the Centinel, Sydney, and other Anti-federal writers; indeed they are full of reasonable arguments—but do not let us be frightened with bug bears, there is no danger of slavery if the newly proposed Constitution is established; for have not the two greatest men in America considered it and conceded? they have, then it is impossible that it should be unsafe—Washington is allowed by all to be one of the greatest heroes that ever fought in defence of liberty; can such a man be mistaken? Franklin is said to be such a profound natural philosopher, that he can raise artificial thunder and lightning; O my brethren think what it is to differ in sentiment from such a man as that! Now as these have assisted in proposing the Constitution, surely every man is a tory, and an enemy to his country, who asserts that it is dangerous to invest a body of men with absolute power over our lives and properties.—I must repeat it again, there is no need of arguments; reflection and derision are the best, and these you are sweetly full of my brethren. O ye worthy authors! ye sublime genius's! who with unparalleled elegance of style, and unfathomable depth of thought, have illuminated our news-papers for several months, with your works against the mean, insinuating, factious Anti federalists scribblers; go on I beseech you in the manner you have begun, call them tories, call them rebels, call them Shayites, and every thing else that is bad. It is an excellent method when you cannot bring reason for what you assert, to fall to ribaldry and satire; pervert your opponents words, and represent to your readers that they mean just contrary to what they say. For my part, I have been so charmed upon reading some sprightly sallies of your wit, that I almost fancied myself in the clouds, particularly that inimitable fragment in which the smoking Gentlemen and his friend, compared Sydney to a stale Sturgeon, to a Magpie, &c.

Though the nature of our cause doth not furnish you with arguments, yet your success in the field of raillery and ridicule, has far exceeded my sanguine expectations; the piece signed Philo-Cassius, with many others that I could mention, are incontestable proofs that Cervantes, Butler, Swift, Stern, and all other former wits must now find their works dazzled, and indeed burnt up by your superior performance, and their names forever lost *in the wide womb of uncreated night*.

And now a few words to such of you my countrymen, who, though not in the list of authors, are yet men of influence, and warmly wish for the establishment

of the new government: Let me tell you how to behave in company, when any of the opposite party attempt to dispute you; you must tremble, stamp, turn fiery red, shake your head, roll one eye up and the other down, and instead of arguments, spit out a dozen mouthful of names, epithets, and interjections in a breath, cry Tory! Rebel! Tyranny! Centinel! Anarchy! Sidney! Monarchy! Misery! George the Third! Destruction! Arnold! Shays! Confusion! &c. &c.—Such methods, however insignificant they may seem to men of understanding, they have certainly a great effect on the simple vulgar, and those you know it will be necessary to gain—This I saw an instance of a few days past;—two gentlemen were disputing in company, and the *man of our side* finding arguments were hard to get, wound himself up into much such a pinnacle of transport as that above described: The simple people present were greatly amazed, one old woman cried “Lord have mercy!” another fainted away, and an honest zealous old man, snatched up a bible and hastily searched for the text which promises that *the seed of the woman should bruise the serpent’s head*.

It seems to be customary for party writers to give themselves very illustrious names, such as *Solon, Brutus, Phocion*, &c.—I will have as pompous a name as any of them, and therefore subscribe myself

ALEXANDER THE GREAT.

April 5th, 1788.

253. A Federalist

Poughkeepsie Country Journal, 22 April 1788

To the PRINTER of the POUGHKEEPSIE ADVERTISER.

I would beg leave through the channel of your Paper, to detect a gross imposition which is attempted in a certain Pamphlet, entitled, “Observations on the proposed Constitution for the United States of America, clearly shewing it to be a complete System of Aristocracy and Tyranny, and destructive of the Rights and Liberties of the People.” This Pamphlet has been sent up in vast quantities from New-York to this place, and is now in circulation through the county. The compiler has inserted among a number of old pieces, equally inflammatory with the Title-page, an excellent letter from Governor Randolph to the Legislature of Virginia, containing his reasons for not signing the Constitution. In that letter Governor Randolph appears to surmount all the leading objections which have been so profusely raised against the Constitution—he advocates with great ingenuity and precision all its essential principles, and then (to the astonishment of his friends, and as a strong instance of the weakness of human reason) he appears to refuse his assent on some of the lesser and very immaterial parts of its structure. But in this pamphlet, the most interesting paragraph in the whole letter is wantonly suppressed to the great injustice of that liberal patriot, and with the most daring affrontery to the public.

The paragraph I allude to stands in the true letter as the last but one, and for the authenticity of which I appeal to the letter as published in the various news papers throughout the United States. It is as follows: “But as I affect neither

mystery nor subtily in politics, I hesitate not to say that the most fervent prayer of my soul is, the establishment of a firm energetic government; that the most inveterate curse which can befall us, is a dissolution of the Union; and that the present moment, if suffered to pass away unemployed, can never be recalled. These were my opinions while I acted as a Delegate; they sway me while I speak as a private citizen. I shall therefore cling to the Union as to the rock of our salvation; and urge Virginia to finish the salutary work she has begun. And if, after our best efforts for amendments they cannot be obtained, I scruple not to declare (notwithstanding the advantage which such a declaration may give to the enemies of my proposal) that I will as an individual citizen, accept the Constitution; because I would regulate myself by the spirit of America."

We can easily perceive the motives which caused these sentiments to be suppressed, for while they breath a spirit of genuine federalism, they teach his own party a lesson of diffidence and moderation, which raises an esteem for the man while we differ from him in opinion. How different is this conduct from that which is held out by many champions in this State, who are for setting the whole continent at defiance, not indeed until they shall regulate themselves by the spirit of America, but until the spirit of America shall regulate itself by them.

I have thought proper to state this matter particularly to the public, not that I conceive it to be of great moment in itself, but merely that they may be the better apprized of the tricks which are practising to delude them, and be the better enabled to analyze the motives of the authors of such infamous impositions. Let me add, that such shameless and unprincipled attempts to deceive the people from the paths of wisdom and true policy, are the less to be tolerated on a question like the present which carries along with it the evidence of its unspeakable importance, and which, if not decided according to a liberal and well-informed judgment, will strike most deeply at our national existence and tranquillity.

To a person who has a breast any ways susceptible of lively and patriotic impressions, and especially to those who have kept a pretty unawed and steadfast eye on the discussions of our political parties, such conduct (and this is not the only instance) I am persuaded must appear with singular aggravation. I frankly own it excites in my mind an indignation almost too warm to be tempered by the admonitions of philosophy. Did I belong to such a party, and discovered its most zealous partizans guilty of acts like these on the credulity of the people, I should believe that they themselves were conscious of the weakness of their side on a fair investigation;—I should immediately distrust all their declamation and invective, and should abandon their cause as "desperate and irretrievable."

I would only observe, that if we can rely on the public accounts from Virginia, Governor Randolph has changed his mind since the ratification of the Constitution by Massachusetts. If this cannot be depended on, yet we have not only their own papers, but the very authentic evidence of General Washington's letter to induce a belief that Virginia will undoubtedly ratify the Constitution.

Poughkeepsie, 18th April, 1788.

254. New York Journal, 22, 23, 25 April 1788

MR. GREENLEAF, *I send you for publication an extract from a pamphlet entitled "The North-Briton Extraordinary," printed in 1769, which fully exposes the wicked deception, and villainous conduct, employed to consolidate England and Scotland into one government; and clearly proves the ruinous and disgraceful effects resulting to the latter from such a connection. Every person who peruses it attentively, who has carefully marked the proceedings of the promoters of a consolidated government for the United States, and who has considered the mischiefs which will flow from the adoption of such a plan, will discover as striking a similarity between the cases, as can be expected from the different situations of the two countries.*

From the events which have happened to other nations, we may learn wisdom and deduce prudential rules of conduct. The fate of Scotland ought to be held up as a pheros to guard us from the rocks of destruction. Although the calamities resulting to the people of Scotland from such an unequal and dishonorable union are undoubtedly great, yet they, in general, enjoy the blessing of a mild administration of government. Whether the citizens of this state will partake of the same privileges if the new constitution is ratified, time must determine: it must, however, be evident to every reflecting and unprejudiced mind, that they will labour under disadvantages nearly similar.

CALEDONIA.

At last the project of an union was resumed more seriously than ever by queen Ann, and appears very clearly to have been a capital object in the politicks of that princess's ministry, which was composed of the ablest statesman without exception, that ever managed the affairs of England. Accordingly the success of the negociation was answerable to the abilities of those by whom it was conducted; and a treaty of union, which had been so often attempted in vain, was, under their auspices, brought to a final conclusion between the two kingdoms, and that on terms so singularly advantageous and honorable for England, and so extremely disgraceful and ruinous for Scotland, that were they to be announced to Edward III. in the shades, the authority of an angel would be hardly sufficient to make him believe the intelligence.

As the introductory step to this important work, an act of the Scots parliament was very artfully obtained by the ministry, authorising the Queen to name the commissioners for Scotland, who were to settle the terms of union with those for England, whom the Queen likewise named. This great point gained, the commissioners on both sides met for the first time on the 16th of April, 1706; and measures had been so prudently concerted, that, in spite of the numberless obstacles which must unavoidably have occurred, the articles of union were finally agreed on before the 16th of July following.

Still, however, the most difficult part of the business remained, namely, to obtain a ratification of those articles by the parliament of Scotland. That they might have the fewer obstacles to encounter in this branch of the negociation, *the promoters of the union had concealed, with the greatest care, the terms agreed on by the commissioners*; because, being thoroughly sensible how extremely disagreeable they must prove to the people of Scotland, they were very desirous to avoid the

consequences of the universal ferment which the first mention of them would create in that country.

Nothing therefore was certainly known in Scotland, with respect to the articles of the union, till the whole treaty was at once laid before the Scots parliament. But notwithstanding these precautions, no sooner were they generally known over the country, than all ranks testified such a degree of resentment and indignation as cannot be exprest. — *Nothing prevailed but an universal uproar; nothing was heard but vows of revenge, and the bitterest imprecations against those who had so basely betrayed the honor and interest of their country:* addresses without number were presented to the parliament, remonstrating in the strongest terms against an union on the conditions proposed. In many places the people flew to arms, resolved, if all other means failed, to prevent by force the accomplishment of a measure in every view so infamous and detrimental. But such artful means had been used by the ministry, either to corrupt or overawe all the men of any influence that no proper person appeared to head the general commotion.

The court party were however greatly alarmed, and thought it necessary, in order to provide for their personal security, as well to facilitate the success of their operations, to practise the most tyrannical expedients. All the standing forces of the kingdom were assembled in the neighbourhood of Edinburgh; strong detachments were posted in the different quarters of that city; and the parliament house, in particular, was surrounded by a formidable body of guards: nay, the privy council ventured to issue a proclamation, commanding all persons to retire from the streets at a minute's warning, under the pain of being fired at by the guards, to whom a general indemnity was previously granted for all the fatal consequences of such firing.

In the mean time, measures of a very different nature, but more effectual than even the former, were successfully practised by the court party. *As it had been for seen from the beginning, that an union, on which the terms intended, would be in the last degree disgustful to the people of Scotland and of consequence, would meet with a powerful opposition in their parliament, proper precautions for defeating such opposition had been very skilfully provided, namely, a large sum of money to be transmitted into Scotland.* As the sum judged necessary for this purpose, was too great either to be clandestinely abstracted from the English treasury, or convey without deduction into Scotland, a method for obviating both these inconveniences was devised, on grounds truly just and reasonable; the sum of three hundred ninety-eight thousand eighty-five pounds was, by the articles of union, provided to the Scots, as an equivalent for such part of the English national debt as they should be burthened with in consequence of the union. But tho' the pretence for allowing the Scots this money was highly equitable, yet the subsequent disposal of it plainly evinced, that it was really intended to procure a majority in the Scots parliament. Still, however, this sum, large as it was, proved insufficient to obtain the wished for ratification. — Further sums therefore became necessary to insure the success of this decisive measure, and such sums were accordingly furnished by the English ministry; but in so secret a manner, that I have been able hitherto to dis-

cover with certainty only one remittance, though a pretty considerable one indeed, amounting to twenty thousand pounds, which was chiefly distributed among the leaders of a party in the Scots parliament, stiled at the time, with great propriety, the *squadron Volante*; who, after fluctuating long from side to side, both to acquire the reputation of integrity, and likewise to render themselves the more precious in the eyes of the ministry, in consequence of this money, ranged themselves immovably with the court party, and thereby gave them the so much desired superiority of numbers.

But still, notwithstanding all the ministerial arts of promises, threats and actual corruption, the treaty met with a most vigorous opposition within doors; where, without attempting to refute by argument the many un[an]swerable objections started against it, its promoters very wisely referred every point to a vote, by which means the treaty was at last ratified by a small majority in the parliament of Scotland.

As this treaty is in the hands of every body, and is perfectly well understood, a particular enumeration of its various articles would be altogether superfluous. Suffice it therefore to mention the substance of it in a few words. By the union, the two kingdoms of England and Scotland are inseparably united into one, to be in all time coming denominated the kingdom of Great Britain; the supreme legislative authority of the whole kingdom is lodged in one and the same parliament, comprehending 772 members, of whom the representatives of Scotland are in number 61. Every native of the united kingdom is indiscriminately intitled to the same privileges, and subjected to the same restrictions with the exceptions to be afterwards taken notice of: The laws respecting government and public policy are to be the same throughout the whole united kingdom; but the municipal law of Scotland is declared unalterable, unless for the evident utility of the country.

From what has been said, it is clear, that this treaty of union was brought about in Scotland, as sir John Packington very roundly asserted at the time in the English house of commons, "by bribery and corruption within doors, and by force and violence without." But you, our brethren of England, must not conceive the worse opinion of the patriotism and integrity of the Scots in general, because you see on this occasion a small majority (it is truly amazing that it was not vastly greater) in their parliament bought for the sum of four hundred eighteen thousand pounds. The temptation was so prodigious, that I question not but, notwithstanding the incorruptible patriotism of the Englishmen of the present times, the Scots, by a skilful distribution of an equal sum in South-Britain, might, in 1706, have obtained terms of union totally the reverse of those then imposed on them so much against their inclination. For an attentive review of the transactions in Europe, for the last fifty years, will shew us, that a much smaller sum has often produced a similar effect in assemblies far more respectable, in every view, than the ancient parliament of the poor country of Scotland.

Such is the history and general import of this famous treaty; which, with all due deference to the opinion of our late party writers, I will venture to pronounce *the most honorable and advantageous to England, and the most disgraceful and ruinous to Scotland*, that can be pointed out in the whole annals of mankind, as having ever been entered into by two independent states. This will no doubt

appear strange and improbable to you, our countrymen of England, accustomed as you are to give implicit faith to all the impudent assertions of your present political oracles; who, not satisfied with representing the Scots as a generation of slaves, devoid of every generous sentiment, have, moreover, described us as a race of starving vultures, perpetually preying on the vitals of old England. This, being the insinuation those worthy gentlemen found the most effectual for alarming your jealousy against your unfortunate fellow subjects of the North, has been principally insisted on by them, and improved and heightened with the most malevolent ingenuity. As it is therefore highly proper you should be undeceived in this respect, I will proceed fairly to examine on which side the dishonor and disadvantage, resulting from this famous treaty, really lies.

*If to forfeit, without any crime by them committed, nearly four fifths of the constituent members of its parliament of their most valuable privilege, that of governing themselves and their countrymen—If to transfer from its own hands all power over the lives and properties of its subjects—If to make a voluntary surrender of every mark of sovereignty and independence—*In one word, if to constitute itself, by its own act and deed, a servile province of a rival kingdom, be accounted dishonorable in any state all this was done by Scotland in consenting to the treaty of union.

By annihilating their own parliament, and accepting in its place about a thirteenth part representation in that of England, without even insisting on the obvious and equitable condition of having all questions regarding Scotland, whose constitution and circumstances differed extremely from those of England, determined by a majority of the representatives of Scotland, the Scots acted like a man, who, after binding his hands and feet, should present his throat to the knife of his mortal enemy: nay, what was, if possible, more unaccountable still, they conferred on an English house of peers, who whatever knowledge the experience of sixty years has happily procured them in the laws and usages peculiar to Scotland, at the time of the union made no pretensions to any, an uncontrollable power of deciding in the last resort, all questions of private right that might arise among the inhabitants of Scotland; *and thereby laid themselves under the necessity of travelling four or five hundred miles, at a monstrous expence too, before they can obtain an ultimate determination in the most trifling law suit.* In short, the Scottish union-makers behaved exactly in the same manner as if the people of England should, at this moment incorporate themselves with their neighbours of France, without demanding any other security for their so much extolled liberty than a twentieth part representation in the sovereign legislative court of that kingdom, supposing the form of government in both countries to be the same. How would an Englishman relish such a proposal? Let any person of common sense consider all these circumstances, and then candidly declare, whether a more disgraceful transaction could possibly be agreed to by a sovereign independent state: and whether any concessions or privileges, in the power of our neighbours to confer on us, could in any degree counterbalance the dishonor thence arising.

Nor was the union less ruinous to Scotland, than it was dishonorable. This to be sure will appear to you, our countrymen of England, a very ridiculous paradox; but the fact is not for that the less true. *Though before the union we were indeed,*

what, in spite of all the golden predictions with which our worthy union-makers amused us, we still continue to be a very poor nation, nevertheless we possess resources sufficient for all the exigences of government, and that too without being opprest by any taxes on the necessaries of life, or having our commerce cramped by any heavy duties. But no sooner did the union take place, than our wealthy friends of England were not ashamed, most unmercifully, to overwhelm us, poor as we were, with a grievous load of taxes, and almost to stifle our trade, inconsiderable as it was, with an infinity of customs and restrictions, to which we were before utter strangers: we were besides subjected, proportionally with them, to the vast sum of seventeen millions of English national debt: a board of customs, and another of excise, two fruitful seminaries of a race of vermin, who lived in idleness and luxury on the labors of their fellow citizens were established amongst us: and our country was depopulated to furnish levies for supplying the ravages of a most bloody and ruinous continental war, with which we had before no manner of concern.

Nor is even this the full measure of our sufferings: two thirds of our country are disarmed, like an hostile province. Many of the most profitable offices of our customs and excise are bestowed on Englishmen, and these, for the most part, neither gentlemen nor men of merit, but the basest tools, and often the menial servants of English courtiers: nay, of the five judges who compose one of our supreme courts, namely the exchequer, the lord chief baron, and one of the ordinary barons, are always Englishmen. Besides all this, many material alterations have been made in our municipal law; among which, that in particular, subjecting us to the English law of treason, is by the people of Scotland unreasonably, perhaps, deemed detrimental rather than useful to their country: our peerage are disgraced by a distinction which their more numerous brethren of England have thought proper to deduce, not directly, but by implication, from the articles of union, namely, that no peer of Scotland can be created a peer of Great-Britain, while, at the same time, the proportion of English peers is daily increasing by a great number of new creations; a circumstance that to many sensible people appears extremely strange: and at last we have, as already observed, seen some English politicians arraign the appointment of a Scotsman to any of the great offices of state, as an attack on the English constitution.^(a) In fine, the numberless disadvantages, resulting to Scotland from the union, were so quickly, and so severely felt, that about five years after its commencement, the sixteen peers, representing Scotland in the upper house, though most of them had been very active in promoting that measure, were not ashamed openly to acknowledge the folly of their former conduct, and unanimously to move in the house of peers for a dissolution of the union.—But our English friends were too wise to gratify them in that particular. Could there possibly be a more convincing proof of the ruinous consequences entailed on the Scots by the treaty of union?

Let us now enquire what mighty advantages Scotland was to reap in return for all her invaluable concessions above enumerated. First then, the sum of 398,000*l.* was, as already noticed, allowed us as an equivalent for the proportion of the great debt due by England, to which we were subjected. This surely never can be accounted a favor to the Scots, since, in the fairest light, it was no more than the most rigorous justice. But it is a certain truth, that this great sum, provided to the Scots, under so equitable a pretence, was, as already observed,

really intended by the English ministry as a bribe to gain a majority in the Scots parliament, and at the same time to accomplish a very important private project of their own, namely the dissolution of the Scots African company. It is very extraordinary, that a great part of this money was, by an article of the union, specifically destined to pay off the stock of that company; a measure so far from being advantageous to the people of Scotland, that it was in the last degree prejudicial to them; being a sacrifice, in favor of their English friends, of the only valuable privilege then left them. But not content with this sacrifice alone, the English obliged them to purchase it with the very money which was so very equitably provided to the Scots nation in general.

This great commercial company had been long beheld with a jealous eye by your southern neighbours, who were justly apprehensive of its becoming in a little time, a dangerous rival to their East-India company, then a great favorite of their government. Its dissolution therefore, had been strenuously insisted on by the English Commissioners at the first conferences for an Union in the reign of queen Ann, and the firmness of the Scots, in maintaining its interests, was the principal cause of the failure of that attempt. Between that period, however, and the year 1706, the African company had sustained considerable losses, chiefly thro' the jealousy between the English and Scots, so that the commissioners for England had then no great difficulty in persuading those for Scotland to give it up; and in all probability, they would have complied as readily with the demands of their English friends, in this respect, although the company had been in the most flourishing situation. The English, however, to shew their singular care for the interests of the company, obliged the Scots to pay up the whole capital stock, without deduction of any losses, together with interest at the rate of five per cent. This skilful management, as hinted above, answered a double purpose: it removed out of the way a formidable rival in the East India trade, and at the same time induced such of the proprietors, as were members of parliament,^(b) *to promote the Union, in hopes of receiving at once so considerable a sum of money, which they had then no immediate prospect of ever recovering in any other manner.*

[23 April 1788] But was it fair in the English, thus to oblige the Scots to make this private purchase for their behoof with the greatest part of the Equivalent, so justly provided to the people of Scotland in general, for the heavy burden of English debt that was, by the Union, imposed on them? And was not the dissolution of this company, instead of an advantage to the Scots, the most valuable concession they could now make in favor of their southern neighbours, after having already resigned every mark of freedom and independency? I will take upon me to affirm, that this resignation of their liberty, of trading to India, was more than an equal compensation for the privilege conferred on the Scots, by the union, of trading to the English settlements in North-America and the West-Indies. As for the remainder of the money, so improperly called an Equivalent, it is notorious, that it was most scandalously misapplied and embezzled. And it has been repeatedly asserted without contradiction, that it was employed to fulfil

the private engagements, previously entered into between our ministry and particular members of the Scots parliament, for obtaining their influence in support of the union.

In the next place, an ease of about 50,000*l.* a year, in the article of land tax, was granted to the Scots by the union. This, no doubt, is a real and unambiguous concession on the part of our English friends.—But when it is considered that notwithstanding the poverty of our country, with which you are continually upbraiding us, we pay at this moment the full proportion of every tax leviable in England, certainly this trifling ease cannot be accounted so great a favor; nay, by your own confession, it is highly reasonable; even rating it at its highest value, it would seem to be hardly an equal consideration for that extraordinary proportion, without taking into the account any other of the grievances under which the people of Scotland are known to labour. We hold this ease however, trifling as it is, at the mercy of the British parliament in which you, our countrymen of England, possess a majority of seven hundred and eleven voices.

I come now to consider what is generally accounted, both by English and Scots, the most valuable privilege of all conferred by the union on the latter; namely, Liberty of Commerce. *This was the grand argument with which the promoters of the union answered all the objections moved against the treaty at that time. Those worthy patriots endeavoured to persuade the Scots, that the notions of independency and national honor, for the maintenance of which their forefathers had been so prodigal of their blood, were merely chimerical; that by resigning them, they transferred, from their own to their neighbours shoulders, an unnecessary and troublesome load; and, that instead of those ideal substances, they should in consequence of the liberty of commerce, with which they were to be indulged, shortly possess solid treasures of gold and silver.*

Here it is proper once more to recall the reader's attention to the terms of alliance proposed by Edward III. as already mentioned, where he will find this so much boasted liberty of commerce offered the Scots by that wise and powerful prince, after he had, to all appearance, reduced them to the last extremity, in as ample manner as it is granted by the treaty of union; and that without requiring any other sacrifice from the Scots in return, than their consent to a federal union, by which "the name, title and dignity of the kingdom of Scotland, were to be honorably and inviolably preserved—The parliament of Scotland was to be holden within the bounds of Scotland. No Scotsman was to be called out of Scotland to be tried by any judicatory whatever. No taxes were to be imposed upon the Scots but such as had been exacted by the best of the Scots kings; and all dignities and places of profit were to be conferred on none but Scotsmen." yet at a time when Scotland was in circumstances every way the reverse of those under which it labored in the time of Edward III. even in its most prosperous days, every disadvantage, from which Edward offered to relieve us, was readily submitted to, and the honor and independency of our kingdom, which even the ambitious Edward respected, and expressed his willingness to secure were shamefully surrendered. What a humiliating contrast between the conduct of the servile unioners and their magnanimous forefathers!—But the cause of this difference is sufficiently apparent; *the leading men among the Scots in the days [of] Ed. III.*

were uniformly actuated by such patriotic sentiments, as in all ages and nations have produced the most glorious and heroic actions: they preferred, therefore, the honor and independency of their country to all the allurements of luxury and wealth. Unhappily for this country, many of their offspring were so degenerated, as to be no longer proof against these temptations. Hence they basely preferred their own private interest to the glory and welfare of their country.

But let us proceed to enquire, whether this liberty of commerce be of so great consequence as it has been represented, and whether our riches have really increased in proportion to the mighty professions of the union-makers. The first step taken, respecting our commerce, was, as already noticed, the total suppression of our greatest commercial company, that which traded to Africa and the East Indies, that it might not interfere with the English East India company, which, in consequence of great government encouragement, was then in a very flourishing situation. To accomplish this national purpose, a great part of the equivalent was most unjustly applied: so that the Scots were not only obliged, as already noticed, to surrender a privilege fully equal, in my opinion, to every commercial advantage conferred on them by the union, but even to purchase this privilege from the private parties, in whom it was then invested, with their own money, although the benefit of it was wholly to redound to their neighbours of England.—*In the next place, the price of labor was considerably advanced, in consequence of the many taxes imposed on the most common necessaries of life, and our trade was burdened with various customs and restrictions. These taxes and customs had been rendered necessary in England by the expence of government, but had never been before heard of in Scotland.* Now, for my part, I cannot conceive, how the commerce of Scotland could possibly be advanced by these two measures, unless it can be shewn that commerce, like the cammõmile, the more it is oppressed, the more luxuriant it grows. But to come more directly to the point:

By the *liberty of commerce* granted to the Scots by the union, no more could be meant than liberty to trade, under the restrictions already mentioned, to the English colonies, and to England itself; for our commerce with the other European states, with the Levant, and with the Spanish, French, and Dutch plantations, could not be by the treaty of union, enlarged, but indeed might be, and I believe was, restrained. Now, it is well known that, at the time of the union, the English settlements, were upon the whole, rather burdensome than beneficial to the mother country; and it is equally well known, that the state of prosperity at which they are now arrived, is almost entirely owing to the treaty of union; since in all probability, without the assistance of Scotland, they neither could have been so quickly conquered and peopled, nor so effectually defended during the course of the two last wars, but more particularly the last one, when the preservation of North-America, and the conquests made both there and in the East and West-Indies were almost wholly effected by Scottish troops.

The commercial advantages therefore, derived to the Scots from the plantations, are, properly speaking, the fruits of their own labours, and extremely dear bought too, considering the multitude of lives they have cost us. These advantages, however, are far from being so considerable as they are commonly imag-

ined. I will not pretend to determine what the annual amount of them may exactly be; but it is certain, that the American trade is almost exclusively confined to the corner about Glasgow: and we may judge pretty certainly of the wealth thence diffused into the rest of Scotland from this circumstance, that two private banks, established in Glasgow, not only employ all the cash to be found in that country, but are continually draining, with the utmost industry, from every other quarter of Scotland, the small quantity of specie still left among us, and yet, after all, find it difficult to answer the daily demands of their trifling circulation.

But it is likely, that in case the union had never taken place, and our neighbours of England had never found it necessary to confer the privilege of a free trade upon us, in consideration of the efficacious assistance we could have afforded them implanting and defending their colonies, as well as protecting their country at home; it is likely, I say, that they must have taken from us every commodity we at this moment furnish to the colonies: or if they had not taken these commodities off our hands, it is next to certain, the French and Spaniard would, and that even at a higher rate than we presently sell them for in America. In every view therefore, the profit derived to us from our commerce with the colonies, inconsiderable as this profit is, can with no propriety be placed to the account of the union.

But I will go a step further, and venture to assert, that the intercourse with the English settlements, opened to us by the union, so far from being an advantage, has proved the greatest misfortune that could have befallen us; for it has not only diverted our attention from a more certain and profitable trade, which it was in our power to have carried on with the other European states, and with the levant, but it has, for the three-fold purposes of conquering, peopling, and defending them, draining our country of so many of its most useful inhabitants, as an exclusive privilege of their commerce for a thousand years could in no degree compensate. And what valuable commodities have these plantations yielded us in return?—Instead of filling our country with the vast riches we were made to expect, they have brought us nothing but a few baneful articles of luxury.

But, perhaps, you may imagine, my countrymen, that the profit of our trade with England is more than sufficient singly to counter-balance all the disadvantages brought on us by the treaty of union. But so far is this from being the case, that I will undertake to demonstrate, that our trade with England is itself the greatest of all these disadvantages. A direct and irrefragable proof of this, is the course of exchange between South and North-Britain: which, notwithstanding the contiguity of the two countries, runs so much against the Scots, that, for these last six years, London bills have, at a medium, sold in Edinburgh for the extravagant premium of two per cent.

[25 April 1788] Again—Those, who are the best acquainted with the commercial affairs of Scotland, assure us, that the annual balance, arising in our favour from our foreign trade, amounts at least to three hundred thousand pounds. So great a sum as this, annually flowing into our country, must, one would naturally imagine, literally fulfil the predictions of our union makers, and soon make Scotland a land of Ophir indeed. But alas! so far is this from being

the case, that we can by no means procure the small quantity of specie requisite for carrying on our manufactures, being obliged to employ for this most necessary purpose, a paper currency to an alarming extent. Nay, the little specie we actually possess is brought us from England, at so great an expence, that the sum required for supporting the circulation of the two national banks, costs them about four thousand pounds a year. But it will no doubt be here asked, what then becomes of this sum of three hundred thousand pounds annually gained to your country by its foreign trade? I will answer the question in a very few words. The four articles of broad cloth, hardware, millinery goods, and porter, furnished us by you, our friends of England, are well known to draw from Scotland thrice the amount of all the commodities you receive from us. Now, when we likewise bring into the account the infinite number of other articles imported into Scotland from South Britain, such as leather, hus wool, together with East India and grocery goods of every denomination, we shall have little difficulty to discover what becomes of the large balance above mentioned, annually brought into Scotland by its foreign trade.

But still this is far from being the whole of the loss, in point of pecuniary interest, resulting to North-Britain from its present connexion with England.^(c) *In consequence of the seat of government being confined to England, several of our richest noblemen are induced to reside constantly in that country; of the rest of that wealthy body, four fifths, reckoning by the extent of their fortunes, live there nine months of the year at least, partly out of choice, partly to attend their duty in parliament; our representatives in the house of commons, together with many other gentlemen of the greatest estates in Scotland, follow the example of the nobility; nay, almost every person possess of five hundred a year, and many whose income is much less, generally visit London once in three or four years; where, in the space of a month or two, they spend, with ridiculous profusion, the full amount perhaps of their annual revenue. When we reflect on all this, and likewise on the extravagant expence of prosecuting Scots appeals before the house of peers, we may form some idea of the vast sums constantly passing into England from this poor despised northern corner, which is really poor and contemptible, solely in consequence of its connexion with England.*^(d)

It was strongly urged by the promoters of the union, and will no doubt be here objected to me, "that in consequence of the union, we live in a state of ease and security, and thence have leisure to improve our country, to encrease our manufactures, and to extend our commerce."

This argument, allowing it all the force its supporters can desire, is precisely that of a mean spirited coward, and might be urged, with equal propriety, to persuade every free and independent people to resign their freedom to the first powerful enemy who should attempt to subdue them. "Why, my countrymen," might some corrupted declaimer in such a case say, "Why expose ourselves to certain death and destruction, when, by submitting to this formidable enemy, we may readily purchase peace; and, by becoming a submissive ally, not only live free of all apprehension from that quarter for the future, but under the protection of their arms, employ ourselves in improving our country, advancing our manufactures, and extending our commerce." Every soul, animated by the small-est spark of liberty, must undoubtedly hold in abhorrence so dastardly a counsel.

Whoever had dared barely to insinuate such a proposal to the barons of Scotland in the days of Edward III. had assuredly experienced the treatment his baseness deserved, and been branded with everlasting infamy.

But I do maintain, that these benefits might have been much more effectually attained, had we continued to live with you, our English friends, on the same footing on which we were living with you at the time of the union, and had lived with you for more than a century before, professing allegiance to the same sovereign—ever ready, when applied to in a proper manner, to cooperate with you, on an equal footing, in all measures that regarded either the honor of that sovereign, or the general interests of the island—but continuing still to act as an independent state, subject to no laws but those enacted by its own parliament, enforced and explained by its own supreme courts of justice.

Then we should have run no danger of having any laws imposed on us that were repugnant to the nature of our constitution, or incompatible with the circumstances of our country; nor of having, at any time, either our excellent municipal law misinterpreted, or our private property disposed of, in the last resort, by judges not sufficiently conversant in the laws and usages peculiar to Scotland. Gentlemen of great abilities and fortune, being then necessarily confined within the limits of their own country, must have considered themselves as more intimately concerned in the welfare of that country, and thence would have had it more in their power, as well as inclination, to have promoted its agriculture, manufactures and commerce; and at the same time to have bestowed more particular attention on the other minute particulars of internal police. Then, also in all probability, we should have been in a great measure free of the immense load of taxes with which we are now oppressed, to the extent of near twelve shillings in the pound, and by that means should have been enabled to undersell every rival in manufactures, as the price of labour must then have been so much cheaper. Nor would our commerce have been burdened and confined by such numberless imposts and restrictions. We should likewise have been at liberty, either totally to restrain our losing trade with England, which at present drains us of all the money that our commerce with the other states of Europe procures us, or at least to have put it under such regulations as might have rendered it less pernicious to the community, and at the same time a very considerable branch of public revenue.

But what is of more importance still, our country would not then have been so miserably drained of her bravest sons, to fight the battles of our wealthy neighbours, and in their quarrel to perish in the inhospitable climes of America, or enrich, with their blood, the fatal plains of Hanover: nor would the disfigured remains of them that had escaped the dangers and fatigues of war, have experienced the bitterest of all mortification, that of being ungratefully insulted by the very people, in whose cause they had suffered so many hardships—Then, instead of having two thirds of our country shamefully disarmed as an hostile province, and being on all occasions treated with the utmost provoking contumely, our friendship had been courted by our English neighbours, who must soon have learned to regard us as their most natural and useful allies—And, finally, instead of being so grievously taxed to support the expences of their

government, we had been enriched with subsidies, and indulged with every encouragement of commerce we might have thought proper to desire; for if the *Landgrave of Hesse* alone received, annually from this kingdom above four hundred thousand pounds for furnishing only about twenty thousand men (of whom no doubt a sufficient number were *buckram men*) to defend a country in which he was infinitely more concerned than we were, what might not the Scots have expected for furnishing, during the course of [the] last war, upwards of seventy thousand men, and those the bravest of the whole British army.

In this manner have I endeavored to prove, even to the conviction of every Englishman of sense and candour, that the treaty of union, by which south and north Britain are at present so intimately connected, was brought about by the grossest corruption, contrary to the universal inclination of the people of Scotland, to whom it is hard to say, whether it be more dishonorable or ruinous, and that, on the other hand, instead of being disgraceful or prejudicial to England, as your late political writers have malevolently insinuated, it is its greatest advantage, and its highest honor.

In the course of this enquiry, I have been unwillingly obliged to mention many melancholy circumstances on the part of my countrymen of the north; circumstances which, however painful and galling, were by time almost worn from our remembrance, when they were so wickedly and unwisely revived by the ignominious treatment we have of late received at the hands of you our neighbours of the south. We hope, however, the knowledge of these circumstances shall incline you to regard, for the future, your brethren of North Britain in a more favorable light; as you will thence perceive what inestimable concessions we have made, and to what numberless disadvantages we at present submit to obtain the sole privilege of being received on an equal footing with you, as subjects of the same sovereign, and of the same government; a privilege to which, even without such concessions, we were in every respect well entitled.

Upon the whole, we doubt not that our fellow subjects of England shall, on cool deliberation, reflect with indignation on the flagitious attempts of those factious great men, and their infamous tools; who on the one hand, by artfully instilling into your minds groundless and injurious suspicions of the Scots, and on the other, by loading the Scots with the most provoking terms of abuse, have endeavoured to kindle up the flame of discord on this otherwise happy island, to destroy that harmony which constitutes our only security and strength; and provoke us to embroe our hands in the blood of one another.—How ungenerous! how inhuman! nay, how ungrateful! must the conduct of you, our brethren of England, appear to yourselves, as well as to the rest of the world, when you shall reflect on your having^(e) insulted and maltreated, in the very streets of your metropolis, your most affectionate and useful fellow subjects, who have been so prodigally lavish of their blood to render you victorious and great, and who are still ready, provided they be treated but with common indulgence, to confront, in your defence, death and danger under every shape.

If, however, after all, you shall continue to look upon us in the same unfavourable light in which we have of late been represented to you, *dissolve*, we entreat you, the bond that unites us, and generously restore us to our original

independency; for remember, this is in *your* power, not in *ours*. But, at any rate, forbear to insult us any longer, lest you may find more reason than you expect to repent of your imprudence in driving us to extremity; for, poor and contemptible as you seem to suppose us, we can still bring to the field, without much difficulty, sixty thousand of the bravest troops in Europe.

(a) If the new constitution is adopted, the time may come, when the well-born will consider the appointment of a Plebeian town office of weight under it, as an insult and as an unwarrantable act.

(b) A like unmanly principle influences many holders of continental certificates, to be in favor of the new constitution.

(c) The federal city will resemble London, in this respect.

(d) It is pleasant enough to observe, that the same people who charge poverty on the Scots as their greatest crime, and rail at the ministry for bestowing a trifling sum towards building a bridge (cross the Tweed) that rests only one abutment in Scotland, have not been ashamed to receive, from the public, thousands and ten thousands for repairing the old crazy and ill-contrived bridge of London; and that, at this moment, the poorest peasant in Scotland is actually taxed his proportion, for the great and national object of paving the streets of that opulent metropolis, in imitation of Edinburgh, and of bringing mackerels and sprats a halfpenny a pound cheaper to the tables of the wealthy Londoners—North Briton Extraordinary, published at Edinburgh, 1765.

(e) This particularly alludes to a very extraordinary and almost incredible fact. Sometime after the conclusion of the late peace, two officers of a Highland regiment, both of them dressed in their proper uniforms, happened to drop into the pit of one of the theaters before the play began. Both of them had been wounded, and shewed honorable scars received in the service of their country. It might have been naturally expected, that if taken notice of at all, they would have been received with a loud plaudit. So far from it they were received with an universal hiss, and a cry, no Bute! no Scotch! The English are said to be a generous people, and undoubtedly they are so in general? They are said to value bravery in an enemy, how much more ought they to respect it in friends and allies, especially in those who bear the marks of having suffered in their cause. This anecdote shews the dreadful effects of party animosity, and how far national prejudices, founded on the silliest prepossessions, may warp men from their most established principles and universal feelings.

**255 A–D. Jonathan Akin Charged With Being a Monarchist
Poughkeepsie Country Journal, 22 April–1 July 1788**

The four documents included in this grouping supplement the four items printed in RCS:N.Y., 1459–65.

255-A. *Ezekiah, alias Genl. Hubbard*
Poughkeepsie Country Journal, 10 June

Mr. Philander, When your publication in Mr. Power's paper of the 27th inst. made its appearance in my neighbourhood, I believe no person expected it would have any effect on things animate or inanimate, indeed the performance was esteemed, as a burlesque on human nature; and below the attention of intelligent beings.—I am not Mr. Philander able to tell you how, but it seems your piece has been productive of some very unlucky occurrences. Before it had been in the house where I live, more than half an hour, my landlord had a sow brought forth three pigs, every one of which were sow pigs save two; then he had a hen come off her nest, with a numerous brood, every one of which ran right into a large pond, on which the hen went raving distracted, and has not been rational since; then his cat having caught a mouse, came into the room where I sat to play with her captive, the mouse soon made his escape, and the poor cat has never heard of it since; then his little dog which never had been guilty of a crime before in his life, put his head in the porrage pott.—By this time I observed my landlord to grow somewhat peevish, and with a view to sooth his mind, I took up my favourite instrument of music, (to wit) my Jews-harp on which I had played several times a day (Sundays excepted) for eleven years, and the first touch I gave it the tongue broke short off slap.—Now Mr. Philander, as those were occurrences which never had taken place before, and similar events took place at the same time through the neighbourhood, and your piece being so intirely destitute of any rational meaning, and it being so evident that your capacity dont extend to things of consequence, I am inclined to think that in your publication was secreted a sort of inferior magic influence, restricted to creatures and things of the most inferior kind. I am not Mr. Philander, disposed to espouse the cause of the character you aimed at, (if you aimed at any thing within the reach of human view) the person whose name you so often mention is as uninjured, as tho' you had been talking of his horse or dog; if you had said that Judge Crane was not least esteemed where he was most acquainted, you would have said enough to have made a fair distinction between him & the person you so religiously affirm ought in your opinion to be hanged; but this is not a matter which concerns me, for I had rather Philander and Akin had both been hanged, and Shove had been the hangman, than to have broke my Jews-harp. Pray Mr. Author, in favor to those little useful animals forbear any further publication; and for the future act more in character; amuse yourself with a Jewsharp, like your friend

Ezekiah, alias Genl. Hubbard.

255-B. *Poughkeepsie Country Journal, 17 June*

Washington, June 10th, 1788.

Mr. Power, I am surprised to find your papers perpetually stuffed with invectives on account of the present disputes about forms of government. As I am a constant customer of yours, and read the papers as they come to hand, I do not recollect to have seen or observed any thing in your Journal lately, but the productions of party spirit, which induceth me as well as others of my neighbours,

to suppose you have inlisted in the service of one particular party, as several papers transmitted from me to you, being the productions of sundry authors, never have made their appearance in your Weekly Journal, although I suppose several of them as worthy of attention as that which appeared in your paper of this date signed Ezekiah, alias Genl. Hubbard, addressed to Philander; wherein said Ezekiah, alias Hubbard, alias Cudjoe, complains much of his master's misfortunes in hogs, dogs, and poultry, which he attributes to the magical charms of Philander, whose divinations not only disturbed his master's swine and poultry; but likewise reached his Jews-harp, so far as to render it useless in the very critical time when he was about to sooth his master's ill temper, occasioned by his unaccountable losses—as well as to ingratiate himself into the good graces of a tolerable likely wench in the kitchen, who is already debauched by him, more by his skill in that cursed instrument than by any other personal merit of his. It is a pity the Africans are so fond of Jews-harps, as a gentleman of Ezekiah Cudjoe's refined accomplishments, added to 11 years experience, would be able to allure and seduce the most virtuous of the Sable race; of consequence their husbands must become cuckolds, and submit to the additional burthen of carrying horns with their slavery.

To conclude, I shall candidly inform you that there are a considerable number of us determined to quit taking your papers, except you convince us of your impartiality, by printing what comes to hand from either party.

Remember we will never ask you to publish any piece as indecent as Ezekiah, alias Cudjoe's.

☞ The Printer denies ever receiving any piece to publish, which he did not print, without giving sufficient reasons for it—and whether he has been more partial to one than the other party, he cheerfully submits to public judgment.

255-C. *Unprejudiced Person*

Poughkeepsie Country Journal, 8 July

Washington, June 23, 1788.

If we undertake to expose the faults of others, we ought candidly to examine ourselves, in order to know if we are not, in a greater or less degree, subject to the same:—And after an impartial examination, if we find that something of the same perverseness of disposition resides within our own breasts, we ought to forbear to satirize, until we have corrected ourselves.—This ridiculous folly of censuring others with great severity for the faults we are known to be guilty of ourselves, is too common with some people: For Instance, I know a certain Bachanalian, who has the effrontery to inveigh most vehemently against some of his fellow-citizens, for having experienced the power of intoxication.—A bear-faced instance of this kind of absurdity appeared in an unsigned piece in the Poughkeepsie Journal, (No. 150) addressed to the Printer: The author of this anonymous production is very much disgusted, because said Journal is sometimes pregnant with invectives proceeding from the heat of party spirit: And after mentioning a piece signed Ezekiah alias Genl. Hubbard (which piece we grant was not very remarkable for decency and moderation) he proceeds to throw out liberally the keenest invectives against the author thereof; which invectives are more cutting and not a whit less vulgar, than those of Ezekiah against Philan-

der:—Our author also in an indirect manner accuses the Printer with impartiality; alledging that he thinks it probable he has enlisted under the banners of one particular party: But I believe every unprejudiced reader of the said Journal, will candidly acknowledge that the invectives which have appeared therein, have flowed in a very copious manner from both parties. And that the printer (after having given a place to Philander) was obliged by the same rules of impartiality, to grant the same favour to the despised Ezekial.

The sentiments laid down in this heterogeneous composition of our author, appear to be very chashing: I cannot forbear to point out one more of the many absurdities which I think appear interspersed throughout the whole piece, i. e. In the first part of his piece (as I have observed before) he expresses his dissatisfaction to the Printer because so many scurrilous pieces are admitted in his Journal; but at the conclusion of his piece, he requires the Printer to print all pieces without distinction which come to hand from either party, upon the penalty of losing his custom. I believe it must require a considerable genius to reconcile such clashing of sentiments; for if the Printer complies with the concluding request of our author, how can he possibly be surprised to find his Journal “perpetually stuffed with invectives.”

If our author favours the public with any future composition, he will do well to divest his mind of his crude conceptions, and confine himself to a plain, regular, and impartial way of reasoning: Then (without doubt) his production will be favorably received by an UNPREJUDICED PERSON.

255-D. Pompey Blackamoor

Poughkeepsie Country Journal, 8 July

MASSA POWER, I be only poor negro, but I wanta disc grate while to put sumthin in print, tho I knowd not what to rite about, and that too, maybe yu woodnt print poor negros ritin, but wen I red dat pece in yure disse weken papur, sined with sich a dammony long name, me growd very much curraged; me thot if yu print sich a pece as dat, yu wood print mine tu.—Masser Ezekiah what d’ye call um, is a very grate genus—he has one place I cood not unerstan, I tell yu which tis bimeby, tis wher he sase “burleske on human natur,” I cood not unerstan um, tho I puzzle at um a good while, at last my masser told me I nedent try to find what um ment, for dat was more than one white man cood do—so me een gin out.—But afrall all dis, masser what d’ye call um rites so very cunningly about hen an chickens, an sow an pigs, an himself an puppy, an porrige pot, an altogether, dat upon e whole, me tink tis very mireable pece of wurk, only in latter part out he didnt use he masser Crane rite well to compare him to hors an dog.

If you will print disse littel pece o mine I will pay yu ten tousen thanks.

Duches counte, June 13, 1788.

256. Paine Wingate to John Sullivan
New York, 23 April 1788 (excerpt)¹

. . . The mob in New York have been quiet since the Militia dispersed them at the Goal. It is said that Governor Clinton disavows his ordering the Militia to

fire, and says he had rather they should have been disarmed by the mob, than they should have killed his fellow Citizens. Baron Steuben, who got sadly pelted, by marching with those who were armed, says, damn *such* fellow citizens.—The Governor and Mayor are blamed by the populace though they even degraded themselves in trying to please them. The Doctors are now before the Grand Jurors for trial, and it remains an uncertainty what will be the issue. . . .

1. Copy, New Hampshire Miscellany, Peter Force Transcripts, New Hampshire Council Correspondence, 1782–1788, DLC.

257. William Pynchon Diary
Salem, Mass., 24–25 April 1788¹

24. *Thursday*. An affray between the Governor of New York and the people; several killed on both sides.

25. *Friday*. Rain, but warm. Mr. Willes dines here. News from Marblehead that the dancers were not dispersed at sunrise this morning; their carriages were sent home in the rain. Dr. Holyoke calls in the evening; informs [us] of Jay's being dangerously wounded in the skirmish at New York, and several other gentlemen hurt; who would not prefer a democatick government to any other among virtuous subjects?

1. Printed: Fitch Edward Oliver, ed., *The Diary of William Pynchon of Salem . . .* (Boston, 1890), 305–6.

258. George Clinton Account Book, 25 April and 19 May 1788¹

Advanced Mr. Greenleaf Printer for which he is accountable to me	}	10–0–0
[19 May] Pd Greenleaf the Printer for News Papers in full to this Day—he owes me the above £10—		1–4–0

1. MS, New York State Archives.

259. Abraham Baldwin to Seaborn Jones
New York, 26 April 1788 (excerpt)¹

. . . Maryland convention is sitting, every body says they are very federal. This state is very doubtful, their convention meets the 17th of June. Rhode Island has rejected; New Hampshire almost as bad, they have adjourned till June. There is nothing new from abroad but what you see in the papers. . . .

1. RC, Henry Ford Museum Bicentennial Collection, Edison Institute, Greenfield Village and Henry Ford Museum, Dearborn, Michigan.

260. John Jay to Marquis de Lafayette
Office of Foreign Affairs, New York, 26 April 1788 (excerpt)¹

. . . You have doubtless seen the Plan of Government recommended by the late Convention in Phila.—Six States have adopted it—what the others will do

is not certain. It is the Subject of animated Discussions among the People. In this State the opposition is considerable. A few Months more will decide that great Question.

1. Dft, Jay-Iselin Collection, Columbia University.

**261. Silas Constant Journal
Yorktown, Westchester County, N.Y., 29 April 1788¹**

Election day; rode to Salem.

1. Printed: Emily Warren Roebling, ed., *The Journal of the Reverend Silas Constant*. . . . (Philadelphia, 1903), p. 120.

262. New York Hudson Weekly Gazette, 29 April or 6 May 1788¹

'Tis thus onroll'd their black'ning crimes appear.

MR. EDITOR, As I was yesterday morning walking along a frequented road, very seriously contemplating the unhappy situation of my country—the dissolution of freedom, and the licentiousness of tyranny; I was invited by curiosity to change the subject of my meditation, and follow her to a very singular and attractive phenomenon, which I saw sparkling in the path at a small distance before me, I at first supposed it to be a collection of diamonds, irradiated by the rising sun: but upon an accurate investigation, found it to be a small trunk, and that which I supposed to be the diamonds, these letters, very artfully engraved in gold, on its foreside, “The Imperial Shrine,” this prompted me to a further disquisition, I soon opened the lid, but found nothing but a few obliterated scraps of papers carelessly scattered about. Yet as curiosity was still unsatisfied, I reactivated my ventilation, till I descried a small drawer, which drew enigmatically from the foreside of the trunk, and which upon being opened discovered a large number of books, pamphlets, and other political and literary productions—As I was impatient for a more conspicuous knowledge of the contents, I removed my position a few steps from the road, and sat down for a further discussion. In looking over this ambiguous collection, I could not but observe a book which seemed to be peculiarly diversified. Upon examining it, I found its title—“The progress of Tyranny, in seven books. By his Satanic Majesty.”

Upon this I immediately searched some of the rest, and found they were the productions of the same author. I must own I was at first a little surprised, but upon again incorporating my thoughts, I easily erased the consternation, as I was fully conscious, from incessantly promulgated evidences, that his majesty was no stranger to the place, or at least to the country; I concluded that in some of his iterated excursions, he had through negligence left it behind him.—However, as I can only conjecture, I shall not attempt positively to assert the cause of its being there; but as I believe the discovery (if divulged) will indubiously unfold to the public some very important obstructions to the melioration of American policy, will facilitate the way to avert the impending ruin that awaits our debilitated situation from the perfidiousness of assimilated patriotism—and will de-

cypher the flagitious confederacy that appears long to have subsisted on the expence of our sacred rights. I shall, if you think proper to give them a place in your paper, transmit to the public, as fast as can be consistently accomplished, a genuine copy of the work—And I consider the book entitled, “The Progress of Tyranny,” to be grounded on a theme most applicable to the present important crisis of America; I have first selected the following passage.

From the Progress of Tyranny, Sect. 5.

Thy Tyrant Pandæmnum.

“Hail, source of knavery! all subjecting clan,
By lust inspir’d to blend the rights of man;
O’er ruin’d realms to raise the kindling lyre,
Bid Freedom mount, and Avarice touch the fire:
While groaning nations sink beneath your hand,
Hurl Desolation crims’ning o’er the land;
In one broad tide all human rights to whelm,
While Peace resigns, and Knavery guards the helm.

“Thrice happy morning! all-reviving sun;
That sees the day, that knows the business done.
When every realm hard bound in Slavery’s ties,
Like falling stars shall sink no more to rise;
When each Republic yields to fed’ral laws,
And heaven-born freedom mourns her vanquish’d cause.

“I see the giddy throngs licentious rise!
Hell in their souls, and Knavery in their eyes!
Gregarious round from every distant shore,
In black’ning crouds the assembling miscreants pour;
From Phil—a sounds the spreading din,
There toil my sons and there my joys begin;
There Tyranny first gave Destruction birth,
To nations Slavery and to Freedom death.
From that fair clime enroll’d in mystic guise,
I see unchain’d that blood-stain’d Monster^(a) rise.

“As when old Vulcan, on his fiery throne,
From Etna’s top descends the flaming zone;
Around his car the flashing sulphur plays,
And streams on streams reflect the red’ning blaze;
Swift down the skies between the sounding poles,
Through fields of air the thund’ring chariot rolls:
Deep from the centre pours a boiling flood,
Falls down the steep and brightens round the God:
While from his eyes the blazing tempest’s hurl’d,
Bend the long deluge o’er the trembling world;
The distant nations, plung’d in flame, expire,
And earth and heaven seem kindling with the fire.

“So round the Monster’s head confus’dly roll’d,

In awful pomp the black'ning storms unfold;
 His shadowy brows in bending mountains curl'd,
 Spread o'er each realm, and shade the Western World;
 Blaze after blaze indignant from his eyes,
 Move like a meteor through the vesper'd skies;
 While his white jaws with flames sulphurous swell,
 Heave the dark gulph and spread the expanding Hell.
 "High moves the vultur'd ghost—his hideous form
 Swells like some cloud before an evening storm.
 Grasp'd in his hand expiring Empire lies,
 Peace groans in death, and yielding Virtue dies.
 Before his shrine, in sacred order spread,
 Consolidation rears her horrid head.
 Involv'd in blood the infernal structure stands,
 And Desolation waves her crimson'd hands.
 Here dread Discordis sounds the dire alarms,
 And there Briareus lifts his hundred arms;
 His parting heads in space immense divide,
 Like winding cliffs ov'r Etna's craggy side;
 Dark Fidius pamper'd with exhaustless guile,
 From treach'ry's scource impels th' unwilling smile;
 While blinded Plutus rears his form before,
 And leads th' insidious dupe from shore to shore.
 Hail sacred æra! long expected scene,
 Fair Freedom's death-watch and the Tyrant's screen.
 No more shall Justice lift her golden scale,
 Her son's no more o'er tyranny prevail;
 Virtue no more shall guild the blissful reign;
 Nor smiling Peace expunge the crimson'd stain;
 But whelm'd, obscur'd, each heaven-born right must dwell,
 Sav'd by these hands to feed the new-form'd Hell;
 While these bright eyes, with conquest's aid endu'd,
 Sees Fed'ral Empire rais'd on Human Blood.["]

(a) The Constitution.

1. The *Hudson Weekly Gazette* for 29 April and 6 May are not extant. This item is transcribed from the *New York Journal*, 14 May, the only reprint, which reprinted it from the *Gazette* without giving a date.

263. *New York Journal*, 29 April 1788

Mr. GREENLEAF, The gentlemen who were appointed in the representation in your paper of the 10th, have had a meeting on the 21st and 22d instant, to take into consideration the nomination. We feel ourselves under obligations of sincere gratitude to the individual or individuals who recommended us to the notice of the people. We acted with Britain upon principle, and really conceived

it would be for the commercial, mechanical, agricultural, and political interests of America, to have remained subjects and even slaves with hard money, than freemen with a paper currency. We are mistaken—independence has opened new sources of wealth, and instead of circuitous importations through Britain, the seat of commercial avarice and tyranny, we import every article from the native and original country.—Every forge is in motion, and every hammer is active and busy in our prosperous ship-yards. The stripes are every where seen on the occasion, and even cast a shade on the mighty waters. Our heavy and burdensome ships vex the sea with their ponderous freights of clipped guineas exported: Politically considered paper money has ruined thousands, but then it has given independence to a number of unfortunate and honest debtors.—Property has only changed hands, and the community is no way injured; but rather advantaged. The property, from fears was with Britain, who had fleets, domestic and foreign armies, credit, and a treasury. America had only the virtue, courage, and understanding of the country, with hopes on the protection of Heaven.—By your virtue you have conquered, and our admiration of your virtuous and magnanimous conduct has made us proselytes, and we now feel some sentiments of love to our native country. No Magdalen ever felt a more sincere repentance, and the generosity of our country makes us weep for our past offences. The property which belonged to the enemies of America, now compensate the patriotic contractors, and military brokers, who stood in the gap to resist the hostile intrusions of tyranny; if it had remained with the party which had such political predilections in favor of tyranny, we should have domineered by the influence of wealth. The impotence and imbecility of our minds—the blackness and cruelty of our hearts—our cowardly persecutions of defenceless prisoners would never have prevented our returning power. America is quick in her passions, and impetuous in the first movements, but then (happy for us) she is tenacious in her resentments:—She forgives offences with all the weakness of a girl.

We think it impolitick to form a representation wholly and entirely from our party, because a mistep may ruin a party just peeping from the involuted shell of obscurity, like the insects which faintly struggle in the vernal season to break from their dormant inaction. If we were properly mixed with some of the federal ticket there are some who would serve. If any of us serve we will freely declare to you that we are fond of our ease, and legislation is novel to us, and we would wish and request only *comfort* from you: for *sand* is as necessary to our political administration as it is to the cement which will be necessary to build dungeons for the punishment of civil and military speculators. America has been insulted, robbed, and left in a disgraceful poverty, without the consolation of character or credit by her patriotic officers of the staff—we should have proposed a political inquisition, and have establish a civil *auto de fe*, to regale the vindictive feelings of America with popular executions; the genius of America should appear in the awful character of executive justice, leading the cart, with the unpitied miscreants, to the gallous. We heartily, one and all, repent of our manifold sins, and transgressions, and do most heartily repent, in sackcloth and ashes, yet private reasons prevent us from obliging our forgiving, and good-natured, coun-

try, this year, with our services—the reasons will be generally reduced to a small compass by our worthy president W. L. and our secretary R. H.

By order of the committee, the following excuses are submitted to the electors:

There is one who is in the habit of washing his own linnen, and conceives it would be in character for an assemblyman to be seen at a wash-tub.

There is one who does not choose to act with a mock friend, who is not acknowledged by the congregation, though he is well acquainted with that *spirit* which is familiar to the whole sect.

There is one who is obliged to additional industry, because almost every man of the profession is now his rival in dirty business.

There is one who is distressed with that *mauvaise honte* which is the *procartartick* symptom of mental mediocrity. He blushes to find the game of government more difficult than a game of whist with mama—his irlish face is often suffused with really an ingenious blush when whigs talk of patriotism.

There is one who excuses himself from political duty as the man in scripture who was invited to a marriage feast—he has married a wife, and cannot go.

There is one who finds that he has lost the confidence of his own party by liquidating a debt to his old friend with certificates.

There are two who are much engaged in vestry business, and the state must give way to the church; they cannot serve their country this year, with their mercantile experience, as one expects a large importation of Sweet Marjoram and Marrowfats; the other expects a large library of Dutch Poets which will employ the winter.—Thus both unite in recommending the former commercial representative, who unites trade and letters; his classick advertisement of Platilles, ivory combs, and Dutch mill saws, gives him a place among merchants and scholars.

There is one who does not choose to act with a man who has hereditary pride, tho' he has become a *Nailer*.

There is one who cannot consider himself a mecanick, and has no hopes that he, and his colleagues, will *pump* together.

There is one who expects some lectures from Edenburgh, which will take up a great deal of his time to learn to read.

I am sorry that it is not in my power to serve, as I market for a whole family; I am not ambitious of honor, and would be contented if I could get an oppointment in the market, such as inspector of mus-melons—as I cannot serve my country as a senator, I would suggest some hints. The confectioners are rogues, and adulterate their sugar plumbs and candies; and to prevent future impositions, there should be an inspection, sanctioned by law. The man whose tongue runs so glib upon the subject of butter and hogslard would do well to consider of it.

The bastards patron will, I hope, save these articles of luxury from high duties, as he did the high wines; and I hope my friend, the Dutch trader, will give his silent assistance.

My colleagues in the nomination have no objections to serve, and kindly solicit the suffrage of the good people.

W. L. President.
R. H. Secretary.

264. Poughkeepsie Country Journal, 29 April 1788¹

A Letter from F. to A.

Dear Sir, It has been the pleasure of the supreme governor of the universe, so to order the affairs of universal government, that in matters which have respect to the government of particular communities of men, the most numerous class are under the necessity of placing confidence in a selected few; touching the part they act in political matters. In our late public calamity, I have as one of those numerous dependents, paid almost universal attention to your opinion, have placed such confidence in your judgment and candor, that I had almost concluded you were infallible.—But sir, touching the interesting question now before us, am greatly non-plused—that we are now as the people of a State, (clashing of sentiments considered) in a very critical situation is allowed on all hands, that we are soon to take a step which in its event is of importance next to that of stepping in the other world, is agreed upon on all sides, one party says if we step this way, we are gone, and the other says, if we step that way, we are gone, and one of the two ways we must step, you tell me there is now before us an important right, and an important wrong, that if we reject the Constitution we are safe, but if we adopt it, ruin is the consequence, when at the same time there is something in me which I take to be the light of nature, which dictates directly the reverse. The importance of the question soon to be decided upon, the great confidence I have heretofore placed in your candor and good judgment, and the irresistible conviction of my own mind, has reduced me to great strengths; that I have heretofore cheerfully adhered to measures which have had your approbation, is true, but notwithstanding the confidence I had placed in you, I can't say but I have acted the more freely on account of some glimmerings in my own mind, which coincided with your opinion, but in the present case, those glimmerings forbid acquiescence. I have been so loth to charge you with error, that I have rather been inclined to suspect myself, have been enquiring whether some prejudice on my side has not caused me to differ with you in opinion, and although I confess the enquiry has led me into a very dark repository, have not been able to detect myself. 'Tis plain to me sir, that in case the event now before us, should be such as greatly to increase the prosperity of the community, (the which may Heaven grant) that the utmost I am to hope for, is that I may move round my little obscure circle without molestation, and if the question be decided in such manner as to involve the State in some calamitous scene, I expect to share with my fellow men: I am sorry to see that the division of a matter of such importance, has split the State into parties, but you know sir, it would be the heighth of folly for me to become a votary for either with any flattering expectations—a single vote at the Election is all that I can do toward the event. Hence am determined to act in such manner, that be the event as it may, I may appeal to Heaven for the purity of my motives. But my dear sir, while I have been endeavouring to investigate the misterious manner in which prejudice starts into the actions of men, in general, am left in doubt whether even the best of men are amply sound against its influences, and you will pardon me if I tell you that I can't reflect on the part you have taken respecting the Constitution, without some jealousies; pray let me ask you to make a pause and examine yourself once more, for Heaven sake don't lead your dependants astray.

The importance of the question soon to be agitated must apologize for the freedom I take, I must say that when you speak of adopting the Constitution as a measure of fatal consequences, my conceptions are too feeble to take the force of your argument, and when you speak of the consequences of rejecting, as beneath our notice, my nerves are too weak to bear the shock.—The moment we have taken the step now in contemplation; if wrong, we have began a march which nothing but the abused goodness of Heaven can carry us thro' and that too almost by a miracle, I am sir, speaking to you on a subject which has for some time commanded my most devout attention. I have been reading, hearing, and thinking, as one who expected to share in the good or evil consequences of adopting or rejecting the federal plan, have read the Constitution by my own fire side, till it is become in every part as familiar to me, as are the first questions and answers, in the assemblies catechism. I don't pretend to say 'tis perfect to that degree as that experience may not point out amendments, but I solemnly declare I have not been able to apprehend the fatal consequences of adopting of it, which you so positively predict. We are now standing on the verge of a precipice, and perhaps hundreds are waiting your dictates, if you leap wrong it will not be to you a single leap, if wrong, nothing but a consciousness of disinterested motives will reconcile you to the fate of your adherents. Is it mere imaginary phantoms, do you think, that alarms me? Or are we really about to decide on a question that has an immediate tendency to secure happiness, or entail misery? You tell me that if we reject the Constitution we are safe enough; but the very idea of such a step fills my soul with astonishment. I wish that the people of my rank through the country, were left to think for themselves a little more than I fear they have done. Shall I ask you, sir, whether the evils which you are representing as the consequence of adopting the Constitution are events which you really expect will take place, or whether you are endeavouring to frighten people into a compliance with your humour? will you declare in the face of Heaven, that you are willing to be held responsible for the evils consequent on the people's adopting your sentiment, in the same degree that your motives may be found wanting when weighed in balance? what if, notwithstanding your strong assurance, we should by and by find ourselves involved in some very perplexing scenes, in consequence of our rejecting the Constitution; are you certain that in such case you could look round you and see all those who are now about to act in a matter of the last consequence entirely by your dictates; could you I say, look round on your distracted adherents, and call heaven to witness, that free from all party spirit, heat of temper, undue bias of mind, mercenary views, or personal attachments, you had urged them to the measure which had produced the event: that you really thought as you had said, that the erasing the foundation of religion, the subversion of the salutary designs of the courts of judicature, and the introduction of all the evils consequent thereon, were events intentionally provided for by the members who composed the constitution, and to effect those dreadful purposes was the design of Congress? are you confident, sir, that if notwithstanding all your sanguine predictions touching the safety of rejecting, & the danger of adopting the Constitution, you should by and by see, that in compliance to your dictates, we had changed the blessings of a state of independence into a state of being, more to be dreaded than a state of non-exis-

tence, would you with that composure of countenance say which generally attends rectitude of intention, tell me that your advice had been the result of a fair, cool, and dispassionate investigation of the spirit as well as the letter of the Constitution? Nothing short of this will, my dear sir, acquit you in the view of Heaven.

I am, Dear sir, Your's &c.

1. On 22 April the *County Journal* announced that this item would be printed the following week.

265. New Hampshire Spy, 29 April 1788¹

The cause of federalism gains ground in New York, so we are informed, notwithstanding the exertions of the antifederal party to the contrary.

1. Reprinted: Exeter, N.H., *Freeman's Oracle*, 2 May.

266 A–E. Thomas Greenleaf Erroneously Reports the Appointment of a British Vice Counsel for New England, 29 April–6 May 1788

266-A. *New York Journal*, 2 May

To the PUBLIC.

For the vindication of the conduct of the Editor of this paper, and for the satisfaction of a respectable public, the following particulars are inserted respecting the paragraph (purporting that Thomas Woodridge, Esq. had lately been appointed Consul to the New-England States by his Britannic Majesty) which was printed in a few of yesterday's Register.

At seven o'clock, yesterday morning, a gentleman called at the office and requested, that I would insert the paragraph (referred to) in that day's paper; to which it was replied, that the papers were all printed off but about twenty. He said twenty would do, if I would likewise insert it the next day; and urged much that it be printed. The Editor, supposing he wanted only to gratify a little vanity, finally granted his request, and gave him the papers at the usual price, without entertaining the least idea, that he had any particular plan in view. The paragraph was to have been inserted the next day, but through a multiplicity of business, it was forgotten. This gentleman affirmed, that the paragraph was taken from a London paper; which assertion was the Editor's *authenticity*, not knowing but he was a man of veracity.

Justice requires of the Editor, considering the nature of the paragraph, to mention that Mr. WOOLDRIDGE himself was the person who gave it—the veracity of whom he had never any reason to doubt, unless he judged from popular report—which, in this instance, he ought doubtless to have done. The Editor has this day made enquiries respecting the probability of the fact—searched the late British papers, by the packet this day arrived, and can find no mention of it, nor in private letters received; he has therefore reason to believe it an *unfounded* representation. What might be the design, or whether any, the public will please to judge. Least there should be a design, and some evil result

in consequence of the paragraph, the printer or printers in this or other states, or elsewhere, who may have inserted it, are requested likewise to insert this as speedily as possible.

THOMAS GREENLEAF.

May 1, 1788.

266-B. *New York Daily Advertiser*, 3 May

To THOMAS GREENLEAF.

“Tell the truth, and shame the Devil,” I remember was said to me, once, when I had done something wrong, which I hesitated to acknowledge, when I was accused of it, as you know children sometimes will do. I was a child then; but I have often thought of that advice since, and seen many cases, in which it has been useful: Indeed, to be plain with you, I could not help thinking of it, when I read your address to the public this morning, about the paragraph relating to Mr. Wooldridge’s appointment. It looks confoundedly like “*running across the truth*,” for who would ever suppose, that the printer of a daily paper, who must always be in a hurry, especially when he publishes so much *new matter* as you do, I say who could ever suppose, that a man in such a hurry, would stay to alter his newspaper, just at the moment of publication, to “gratify the vanity” of any man living; and that, when there was only twenty papers of that day’s edition unprinted? No doubt you are as civil, and as complaisant, and all that, as any other printer; but nobody will believe that any one of the fraternity would be as civil and as complaisant as all this.—Besides, some folks say they saw the papers (your’s) in Mr. Wooldridge’s room, the afternoon before you say, he called at your office and requested you to insert the paragraph. As popular report has not called their veracity in question, people believe what they say about it, and of course doubt what you say.

Somebody has circulated a report too, that you said at first, that you got the paragraph out of a Boston newspaper, and afterwards, that Mr. Wooldridge gave it to you, and from this, they argue, that you knew he had some particular plan in view, though you deny it to-day. But I don’t mind what they say; I only mind what you say; and you say, in one sentence, that you did not know, but the gentleman was a man of veracity; and in the next, that popular report said he was not. Now, put that and that together. I’ll tell you what; you had better publish a new edition of your address, with notes, critical and explanatory: Tell us the true reason, why you printed one set of newspapers for the public, and another of the same date, for Mr. Wooldridge. Let the other printers know, that the address has been corrected and amended by the author, and desire them to give it a conspicuous place, “lest some evil result.”

May 2.

266-C. *A Citizen*

New York Daily Advertiser, 3 May

Justice and the public good require that the following paragraph, from a paper printed by Mr. Greenleaf, on Tuesday last, should be re-printed, and contradicted:

“We have authority to inform the public, that his Britannic Majesty has appointed THOMAS WOOLDRIDGE, Esq. late Receiver General of East-Florida, &c. to be his Vice-Consul for the States of Massachusetts, New-Hampshire, Rhode-

Island, Providence Plantations, and Connecticut. The patriotic conduct of this gentleman relative to America, during the war, is well known to the friends of liberty.”

To the honest and upright it must appear surprizing, that of the papers containing the foregoing paragraph, only 20 or 30 have been printed; and, that *every one* of them were left solely at the disposal of Mr. Wooldridge.

When this transaction was detected, the public indignation was very justly excited, and the Printer equally condemned, with the *would-be* Consul: But although this was a subject of general conversation, no measures were taken by Mr. Greenleaf to exculpate himself, from Tuesday to Thursday; and this morning he has made himself still more criminal by the following wretched and equivocating attempt:

To the PUBLIC.

For the vindication of the conduct of the Editor of this paper, and for the satisfaction of a respectable public, the following particulars are inserted respecting the paragraph (purporting that Thomas Wooldridge, Esq. had lately been appointed Consul to the New-England States by his Britannic Majesty) which was printed in a few of yesterday’s Register.

At seven o’clock yesterday morning, a gentleman called at the office, and requested that I would insert the paragraph (referred to) in that day’s paper; to which it was replied, that the papers were all printed off but about twenty. He said twenty would do, if I would likewise insert it the next day; and urged much that it be printed.—The Editor, supposing he wanted only to gratify a little vanity, finally granted his request, and gave him the papers at the usual price, without entertaining the least idea that he had any particular plan in view. The paragraph was to have been inserted the next day, but through a multiplicity of business, it was forgotten. This gentleman affirmed that the paragraph was taken from a London paper, which assertion was the Editor’s *authenticity*, not knowing but he was a man of veracity.

Justice requires of the Editor, considering the nature of the paragraph, to mention that Mr. WOOLDRIDGE himself was the person who gave it—the veracity of whom he never had any reason to doubt, unless he judged from popular report—which in this instance he ought doubtless to have done. The Editor has this day made enquiries respecting the probability of the fact—searched the late British papers, by the packet this day arrived, and can find no mention of it, nor in private letters received; he has therefore reason to believe it an *unfounded* representation. What might be the design, or whether any, the public will please to judge. Lest there should be a design, and some evil result in consequence of the paragraph, the printer or printers in this or other states, or elsewhere, who may have inserted it, are requested likewise to insert this as speedily as possible.

THOMAS GREENLEAF.

May 1, 1788.

Upon this I shall remark, that the Apology is dated May the first; he says “a few of *yesterday’s* papers”: the paragraph was in a paper of the 29th, which was *the day before*.

He says a “Gentleman called at 7 o’clock yesterday morning,” though several persons saw the papers in Wooldridge’s room *the afternoon before that*.

Now I will ask a few questions: How came he (Greenleaf) on Wednesday to tell a Gentleman, who asked for his authority, that he had taken the paragraph from a Boston paper, and on this being doubted, to equivocate, and *then* say it was given him by a Gentleman; and since that, to make a quibbling confession that his authority was Wooldridge himself. Conscience is a powerful monitor, and tho’ a man may evade and deceive for a while, truth will appear at last.

Why does he say, all his papers were “printed off but about twenty,” when it is known that they were *all* printed off before the paragraph was brought to him, and that the papers sent to Wooldridge were a separate edition.

Is it probable that a Printer would be so obliging as to alter his types (which must be attended with a good deal of trouble) after “the papers were all printed off but about twenty,” merely to “gratify a little vanity” in a man whose “veracity popular report” had impeached? Is it probable that if he should take this trouble, he would give the man “the papers *at the usual price*”? Is it possible that a Printer could be desired to make such alterations as Mr. Wooldridge requested, “without entertaining the least idea that he had any particular plan in view”? Is it credible that such an extraordinary request, and the trouble it occasioned, should make so slight an impression on Mr. Greenleaf’s memory, as that he could forget to “insert the paragraph the next day,” which he says was intended? Is not “multiplicity of business” a curious reason to assign for forgetting that business? How can Greenleaf say he did not know but Mr. Wooldridge “was a man of veracity,” when he acknowledges in the next sentence, that he had reason to doubt it, “if he judged from popular report, which, in this instance, he ought doubtless to have done”? If an “assertion” made by a man whose veracity ought to be doubted, is “the Editor’s *authenticity*,” what must the public think of the “Editor” and his “authenticity.”—The Attorney-general, on a recent and similar occasion, has declared it as his opinion, that “the Printer who would be guilty of such an act of fraud and deception, should never again meet the confidence of the public.”

Friday, May 2.

266-D. *New York Journal*, 5 May

TO FRANCIS CHILD.

Ever averse to a party spirit—never wishing to be carried away upon the wings of mad enthusiasm on any subject—and striving always to measure my conduct by the philosophic square of reason and justice—I have hitherto, notwithstanding many billingsgate attacks, preserved a clear coast, and a peaceful haven. I would, even now, continue peaceful, but the *ebullition*, published in your paper of Saturday, is of a kind that demands particular notice, the sole intention of it being, to destroy my credit and reputation, both as an editor of a public newspaper, and as a man of probity.

The circumstance of a late publication was apologised for to the public, in Friday’s Register, in a decent, and faithful manner. Believing that address satisfactory to every *liberal* mind, and being perfectly satisfied with the uprightness

of my own intentions, I shall make no reply to your quibbles respecting a wrong date, or your *villainous falshoods* in several respects, but proceed to observe further—that, failing on the scale of politics to hurt me, you have now recourse, as the last resort, to this little subterfuge;—thus convincing me, and every candid reader,—that you are capable of every *littleness*—that your *soul* is fraught with every *baseness*; and of consequence, that every philanthropic and liberal sentiment is a stranger to you; otherwise you would not have presumed thus to attack me. I aver, that you cannot bring a single charge against me, of a willful and criminal nature. I therefore demand, that you inform the public (*or abide by the consequences*) that your sole intention was, by those publications, to invalidate my reputation—destroy my credit—and hurt my interest, that your own establishment might be the more permanent.—These are the more eligible features of those publications, for which every liberal mind must condemn you, and with which I charge you, proving your conduct inexpressibly contemptible.

THOMAS GREENLEAF.

May 5, 1788.

266-E. *New York Daily Advertiser*, 6 May

To THOMAS GREENLEAF.

Instead of addressing yourself to the Citizen, who in the *Daily Advertiser* of Saturday last, made some animadversions on your conduct, respecting the surreptitious publication, which issued from your press last Tuesday, I perceive you are disposed to turn the merits of the question *betwixt you and the public*, into a low, personal attack upon the Printer. Little disposed as I am, to have any altercation with you, yet as you have called for assistance to unravel this strange transaction, accept then, sagacious Thomas, my modicum of information on this subject.

When you published Wooldridge's puffs, you may recollect that you told us the ASSERTION OF THAT GENTLEMAN!!! was *your authenticity*. As the following affidavit may tend to throw some light on this *dark affair*, it is much at your service; it is *my authenticity*.

State of New-York, ss.) Personally appeared before me *Richard Morris, Esq.* Chief Justice of the Supreme Court of Judicature for the State of New-York, *George Knox*, who deposeseth and saith, that he called on *Thomas Greenleaf* on Wednesday, the 30th day of April last, and asked him what authority he had for publishing the paragraph, announcing that *Thomas Wooldridge* was appointed Vice Consul for the four eastern States; he hesitated a little and then replied he had it from the eastern papers; this deponent then asked him, which of the eastern papers? he answered the Boston papers; to which this deponent said he had seen all the late Boston papers, but there was no such paragraph in any of them. The said *Thomas Greenleaf* then said he got it from *Mr. Wooldridge*: This deponent then asked him, when it was printed? he answered on Tuesday; that this deponent then went home and examined his (*Greenleaf's*) paper of Tuesday, but found no such paragraph in it: that this deponent called again and asked for one of those Tuesday's papers; a young man who attends the shop of the said *Greenleaf*,

gave this deponent one, and at the same time mentioned that if he (the deponent) wanted to see the paragraph respecting Wooldridge's appointment, it was not in that paper nor any he had in the shop, as the carriers had taken them all out.*

Since that time, the man, whose name this deponent does not know, and who says he works at Greenleaf's press, confessed to this deponent that all the newspapers intended for that day were wrought off before the paragraph was inserted, and that they had to put up the first form, in order to print off the papers intended for Wooldridge.

GEO. KNOX.

Sworn this 5th day of May, 1788, before RICHARD MORRIS.

*Mr. Wooldridge received the whole of *that edition*.

The discerning public, by comparing the above, and by combining circumstances, will be at no loss to judge of the *intention* of the quondam Alderman, nor of the *motives* which induced you to publish the paragraph.

Permit me, Thomas, before we part, to assure you, that you have neither satisfied every *liberal* mind, as to the uprightness of your conduct in this business, nor indeed have you attempted to do so.

The particulars relating to the subject, which were touched upon by me, in this paper of Saturday last, you very wisely pass over. In your brilliant address* of this day, which is annexed as a masterly piece of composition, you have spluttered, and blustered, and *threatened*, and all to *very great purpose*.

You talk of my quibbling on an error in the date of your apology; you have not yet put it right, should it be April 30, May 1, or May 2? All those days passed on before your "*decent*" publication made its appearance. Say what you will, it appears that even in this, you had deception in view; you wished to make the public believe that you had contradicted the paragraph in season.

To be serious, you had as good say nothing further on this mysterious business, unless you tell the truth, and make an honest concession. But I would really counsel you, as a friend, to be quiet; for I suspect if you go on, (to use a scrip of language, with which you appear to be conversant) "the more you stir, the more you'll st—k."

A CITIZEN.

May 5.

* TO FRANCIS CHILD.

Ever averse to a party spirit—never wishing to be carried away upon the wings of mad enthusiasm on any subject—and striving always to measure my conduct by the philosophic square of reason and justice—I have hitherto, notwithstanding many Billingsgate attacks preserved a clear coast, and a peaceful haven. I would even now, continue peaceful, but the *ebullition*, published in your paper of Saturday, is of a kind that demands particular notice, the sole intention of it being, to destroy my credit and reputation, both as an editor of a public newspaper, and as a man of probity.

The circumstance of a late publication was apologised for to the public, in Friday's Register, in a decent, and faithful manner. Believing that address satisfactory to every *liberal* mind, and being perfectly satisfied with the uprightness of my own intentions, I shall make no reply to your quibbles respecting a wrong

date, or your *villainous falshoods* in several respects, but proceed to observe further—that failing on the scale of politics to hurt me, you have now recourse, as the last resort, to this little subterfuge;—thus convincing me and every candid reader,—that you are capable of every *littleness*—that your *soul* is fraught with every *baseness*; and of consequence, that every philanthropic and liberal sentiment is a stranger to you; otherwise you would not have presumed thus to attack me. I aver, that you cannot bring a single charge against me, of a wilful and criminal nature. I therefore demand, that you inform the public (*or abide by the consequences*) that your sole intention was, by those publications, to invalidate my reputation; destroy my credit; and hurt my interest, that your own establishment might be the more permanent.—These are the more eligible features of those publications, for which every liberal mind must condemn you, and with which I charge you, proving your conduct inexpressibly contemptible.

THOMAS GREENLEAF.

May 5, 1788.

THE above attack on the PRINTER of this Paper is intended to introduce a *personal* controversy with him, and call off the public attention from a most infamous attempt to impose upon the Citizens of New-York, and to assist a base and designing character in the most nefarious practices; the subject matter of which has been the town-talk for several days, and very justly excited general indignation: But this is too stale a trick to be of any service to Mr. Greenleaf. And, besides, all politics are out of the question. His proper business was to remove the stigmas that were fixed upon him by two Pieces in our Paper of Saturday last; from his silence on that head, we are to suppose, that “through multiplicity of business he had forgotten it”; and the charges are left against him in full force. He did so once before, with respect to some news said to be brought from Virginia by an honorable gentleman; as if the standing rule of his conduct was to shuffle, and to evade. He intimates that our intention was to “invalidate his reputation, destroy his credit, and hurt his interest.” we know not that he possesses either reputation, credit, or interest; but this we know, that he is an object only of our pity and contempt, and that we feel ourselves dishonored by being brought in contact with him. We never refuse Pieces which detect villainy, *even in a Printer*; and notwithstanding his mean artifice in attempting to change his object of attack, and infamous scurrility in conducting it, if he can, with *decency* and *truth*, exculpate himself, we shall, even yet, to evidence the strictness of our regard to justice, *allow* him the opportunity of that general and extensive circulation for his defence, which the same sense of duty gave to the charges exhibited against him.

267. Noah Webster Diary
New York, 1 May 1788¹

I move with Mrs. Vandervort to Maiden Lane—Poll for electing Members of Convention & Assembly closed—

Walk with Mr. Blakeley—

1. MS, NN.

268. New York Journal, 2 May 1788

To the ELECTORS of the *NORTH WARD*.

☞ You will be pleased to take notice, that the poles will certainly be closed this day at two o'clock.

May 2d.

269. New York American Magazine, 2 May 1788¹

An ADDRESS to the PEOPLE of the State of NEW-YORK, on the Subject of the CONSTITUTION, agreed upon at PHILADELPHIA, the 17th of September, 1787. SAMUEL and JOHN LOUDON.

This pamphlet contains a brief recapitulation of the most striking arguments in favor of adopting the proposed Federal Constitution. Several of the observations are new, and all are penned with such moderation of temper, and sound judgement, that they cannot fail to make an impression, favorable to the constitution, on minds which are open to conviction. It is wished that every friend to good order and government might "receive this address with the same candor with which it is written," as it is believed the author's arguments against appointing a new general Convention for the purpose of altering and amending the constitution, are altogether unanswerable.

1. Printed: *New York American Magazine*, April (pp. 341–42).

**270. Nathaniel Hazard to Mathew Carey
New York, 3 May 1788¹**

Foregoing is Copy of mine of 17th April, which I hope by this Time has come to Hand—I shall attend to the Contents of yours of 30 Ulto, by very first conveyance to Hartford; and press Mr. Trumbull, who is particularly intimate with Mr. Barlow, to interest himself on the Occasion. Are not the Poets you have mentioned, sufficient for a *first Volume* and may not Barlow and Freneau *cum alais* do for the second?

I am not apprehensive of your back Woodsmen; they may *clean up their Arms*, very probably; your Philadelphia, abandoned, profligate, Incendiaries, possibly may excite them to such a *Display*. there ever has been a Sett of Shayites in Pennsylvania about Wyoming; and bordering upon your Line, in our State, are a Sett of absconding Debtors, Horse Thieves &c. who probably may cooperate, as Auxiliaries, with your *Patriots*. but our Anti's, (if disposed to fight) will have to conquer their own Metropolis, which pays one fourth of the whole direct Taxes, and raises the whole commercial Revenue besides. Since our Election on the 29th Instant, for this City and County [for?] State Convention, we find seven or eight, instead of three or [four?] to One, in Favour of a good Government; and we have Hopes of a small Majority in the State.—As the Hour is arrived,

when the Bearer of this, Mr. McVickar of this City, is to set out, I must beg you to believe me with Sincerity—Your Friend & humble Servt.

1. RC, Lea and Febiger Collection, PHi. Above this letter was a copy of Hazard's 7 April letter to Carey.

271. Providence Gazette, 3 May 1788¹

The Election of Delegates for the State of New-York took Place on Tuesday last. The Post informs, that the Federalists have obtained a Majority in the City.

1. Reprinted: Connecticut *Norwich Packet*, 8 May.

272. Pennsylvania Packet, 3 May 1788¹

Extract of a letter from New-York, dated April 30.

“The election for members of Convention is going forward: from appearances, this city will elect none but federalists; and from the best intelligence I can collect, there will be a majority of federalists in the state convention.”

1. Reprinted: *Pennsylvania Mercury*, 6 May; *Pennsylvania Journal*, 7 May.

**273. Nathaniel Shaler to Jeremiah Wadsworth
New York, 4 May 1788 (excerpt)¹**

. . . I could not see Hamilton to know the particulars—nor have I yet been able to get from him the accounts wanted by Mr. Colt—so busy has he been with Courts the Federal Government & the Elections. . . .

1. RC, Wadsworth Papers, Connecticut Historical Society.

**274. Paine Wingate to John Wendell
New York, 5 May 1788 (excerpt)¹**

. . . The elections in the State of New York are more favorable for the n[ew] plan than was generally expected, and there is dayly an increased probability of its being adopted. . . .

1. Printed: *The Collector*, LXIII (December 1950) p. 257, Item D2337.

275. Poughkeepsie Country Journal, 6 May 1788¹

Another letter of the 3d says, “That the State of Maryland has certainly adopted the new constitution: And that in New-York, and on Long and Staten Islands, the election has gone in favor of members for Convention, who are friendly to the adoption of the new Constitution.”

1. Reprinted: *Vermont Gazette*, 19 May. See also the Pittsfield, Mass., *Berkshire Chronicle*, 29 May (#323, p. 282, below).

276. New Hampshire Spy, 6 May 1788

The following lists are handed about the city of New-York, as members of Convention for that place, viz. *Antifederal*—Gov. Clinton, Gen. Lamb, Gen. Malcom, John Ray, M. Willet, P. T. Curtenius, Col. Stoutenburg, John Keese, and Mr. Smith. *Federal*—John Jay, Robert R. Livingston, Richard Morris, John Sloss Hobart, James Duane, Alexander Hamilton, Isaac Rosevelt, Richard Harrison and Nicholas Low.

**277. Charles Hurst to Jukes, Coulson, & Company
New York, 7 May 1788 (excerpt)¹**

. . . The Fall of Estates has hurt me Amazingly as my Property was in Lands they have Fell by our want of Proper Government 300 P Ct but its Expectd. when our Federal Government takes Place & Less Importation & more Industry yet things will mend or I hope be at the former Value. . . .

1. RC, Papers of Stephen Collins & Son, DLC. The postmark indicates the letter was written in New York City.

278. New York Journal, 7 May 1788

☞ *Snarl on FRANK CHILD—when no other employ can be found, we shall probably hunt you out.*

279. Boston Independent Chronicle, 8 May 1788 (excerpts)¹

A letter from a gentleman of the first distinction and information in New-York, dated the 27th ult. says, . . .

“This State are too divided to form a conclusive judgment at present. On Tuesday next the elections will be made—let the majority be on which side it may, it will be but small. I think that so many States will have adopted the Constitution before the Convention of this State assemble, as to produce a decision in its favour by a small majority.”

1. Reprinted five times by 24 May: N.H. (1), Mass. (3), Pa. (1). This item is loosely based upon a letter from Henry Knox to Jeremiah Wadsworth of 27 April (CC:712; RCS:Va., 761–63).

**280. Robert C. Livingston to Laurence Mughier
New York, 9 May 1788 (excerpt)¹**

. . . You have doubtless heard that we are endeavouring to Frame a new confederation on this Continent—, which most of the states will probably accede to it, tho' some of them will hesitate—Many of The People in office in this oppose it with their full weight—Tho' if the neighboring States accede to it, it

will be difficult for this State to remain in a State independent of the Federal Government—I send you some news papers

1. FC, Robert R. Livingston Papers, NHi.

**281. Samuel Hodgdon to Timothy Pickering
Philadelphia, 10 May 1788 (excerpt)¹**

. . . As to Politicks can only say, that appearances give us a right to expect the accession of South Carolina, Virginia & *New York*—in a Letter received from the last mentioned place, I am informed, that the federal ticket in the City carried it as five to one—and that their was a decided Majority through the state—*Oswald* now says that it is easier for a *Shad* to mount the falls of Niagara, than for the Opposition to prevent the operation of that *Cursed Constitution*. . . .

1. RC, Pickering Papers, MHi.

282. New York Journal, 10 May 1788

I wish to assemble together the opinions and reasonings of philosophers, politicians, and historians, who have taken the most extensive views of men and societies, whose characters are deservedly revered, and whose writings were in the contemplation of those who framed the American constitutions. It will not be contested, that all these characters are united in Polybius, who, in a fragment of his sixth book, translated by Edward Spelman, page 391, at the end of his translation of the Roman Antiquities of Dionysius Hallicarnassensis, says:—"It is customary to establish three sorts of governments; kingly government, aristocracy, and democracy: upon which one may very probably ask them, whether they lay these down as the only forms of government, or as the best; for in both cases they seem to be in an error, since it is manifest, that the best form of government is that which is compounded of all three. This is founded not only in reason but in experience, Lycurgus having set the example of this form of government in the institution of the Lacedæmonian commonwealth."

Six kinds of government must be allowed: kingly government and monarchy, aristocracy and oligarchy, democracy, and the government of the multitude.

Lycurgus concluded, that every form of government that is simple, by soon degenerating into that vice that is allied to it, must be unstable. The vice of kingly government is monarchy; that of aristocracy, oligarchy; that of democracy, rage and violence; into which, in process of time, all of them must degenerate. Lycurgus, to avoid these inconveniencies, formed his government of one sort, but united in all the advantages and properties of the best governments; to the end that no branch of it, by swelling beyond its due bounds, might degenerate into the vice which is congenial to it; and that, while each of them were mutually acted upon by opposite powers, no one part might incline any way, or out-weigh the rest; but that the commonwealth, being equally poised and balanced, like a ship or a waggon, acted upon contrary powers, might long remain in the same

situation; while the king was restrained from excess by the fear of the people, who had a proper share in the commonwealth; and on the other side, the people did not dare to disregard the king, from their fear of the senate, who, being all elected for their virtue, would always incline to the justest side; by which means, that branch which happened to be oppressed, became always superior, and, by the accessional weight of the senate, out-balanced the other. This system preserved the Lacedæmonians in Liberty longer than any other people we have heard of ever enjoyed it.

**283. James Bruyn to Peter Elmendorf
Kingston, N.Y., 13 May 1788 (excerpt)¹**

. . . I should be happy to know the event of the Election in Albany County, will the Federalists carry it do you think. I am pretty sure Albany will decide and give the Majority—

1. RC, Miscellaneous Manuscript Boxes, Bruyn Family, NHI.

**284. George Lewis to Jeremiah Wadsworth
New York, 14 May 1788¹**

I am induced to address a few lines to you to beg your assistance to enable me to defeat the narrow policy of our present collector who has considered us & others resident in N York for two or three years as citizens of the State, but owing to a small alteration in an impost act lately passed, he has put a construction on the words of the act which could not have been designed by our assembly the consequence of which is that he demands in our importations an Alien tax of 2/2 ¹/₂ Ct & this he has done, not wholly with a design of increasing the revenue of the State, but to prevent our voting for our federal candidates which he has accused me of doing, & in his *liberal* opinion it is a crime of the blackest die now Sir I have to request of you as the Assembly is sitting at Hartford that you would include me in a naturalization bill, it is well known that I carried on business, paid taxes, & resided twelve months in the State of Connecticut, this any of the inhabitants in New London can attest to, if I am so included it will put me out of his power & I am sure can do no injury to an adjoining State; I can do the business by going to Baltimore but this would at present be exceedingly inconvenient to me. If the qualifying Oaths, could be administered by either of the Gentn in Congress or any Magistrate from Connect. that might happen to be in this City it would be very convenient to me; any expence that might arise in this business would be cheerfully paid—

My having observed your readiness to assist all that you have any knowledge of induced me to trouble you I shall only add that it will be laying me under additional obligations

P.S. An answer ¹/₂ post would be esteemed a favor.

1. RC, Wadsworth Papers, Connecticut Historical Society.

285. Ezra L'Hommedieu to Leonard Gansevoort
Suffolk County, N.Y., 15 May 1788¹

Last Evening I received your favour of the 24th of last month in which you request me to relieve you in your attendance at New York. Had I received your letter Timely, I should have so arranged my business as to have attended in your stead for the Time you request: but at present it is impracticable for me to leave home before next month, and it is then probable I shall not be able to attend Congress. If I am elected to attend the Convention, I do not see how it will be possible for me to attend at New York next month except a few Days, & as I propose after the Convention to attend the proposed Treaty; in Case it should take place. I believe it will be best to send on, or rather request Mr. Yates to take his seat, he having no public Business to divert him (as I know of) from the same. Mr. Gelston informed me about Ten Days ago that you proposed leaving New York the first of May of receiving no word from you I concluded there either would be a Representation of the State, or that so little Business was done, the same might be not necessary at present. I hope no Inconvenient will attend our States not being represented for a short Time, and am sure no blame will be laid to you for attending to your urgent business at home after having been so long abroad.

1. RC, Gratz Collection, Old Congress, PHi.

286. Peter Van Gaasbeek to John C. Wynkoop
Kingston, N.Y., 15 May 1788¹

Your favor of 3rd. Instant have received under Cover from Mr Wynkoop. I was sorry to find that your Eyes would not admit of answering my Letter, my only wish was to have a direct answer thereto. for with Respect to Addison's Query its nothing to me. Your answer to that Perhaps may have been very Pert. I took the Liberty to state my Report in the same language as I had Represented it. at the time I did this I had nothing therewith and therefore was only anxious to hear from you on the subject. as from thence I would discover where the misrepresentation lay

if you Please to explain yourself on this Head it shall be Agreeable—

1. Dft., Peter Van Gaasbeek Papers, Senate House Museum, Kingston, N.Y.

287. Egbert Benson to Peter Van Schaack
Poughkeepsie, 16 May 1788 (excerpt)¹

. . . I shall go to New York in about a Week and remain there until the Saturday before the Ulster Circuit—Half of my Bed and the whole of Your Board shall be reserved for You during the Sitting of the Convention—

1. RC, Special Manuscript Collections, Van Schaack Family, Columbia University.

288. William Ross to John Stevens, Jr.
New York, 16 May 1788¹

Sir, I am much obliged by your Note of the 10th, and in compliance with your Request have counted the Number of Books remaining in my Hands which I find to be 364—This, with 100 remitted Mr. Crookshank of Philadelphia, 22, Lent you per Note, and 20 sold in this City, compleats the Number, and I shall be glad to receive your Order with respect to what remains with,

Sir Your Humble Servant

New-York May 16, 1788—Received from John Stevens Jun. Esq; Seventeen Pounds Sixteen Shillings; being the Balance of an Account for printing Five Hundred Pamphlets, entitled Observations on Government, &c.

1. RC, Stevens Family Papers, New Jersey Historical Society.

289. Samuel Wright to Brown & Benson
New York, 17 May 1788 (excerpt)¹

... The prevailing Opinion here is [th]at the Constitution will finally be Adopted, but the struggle will be hard as the division is about equal

1. RC, Brown Papers, John Carter Brown Library, Brown University, Providence, R.I. Wright wrote the letter on behalf of Murray, Mumford, & Bowen.

290. New York Impartial Gazetteer, 17 May 1788

CONDITIONS.

This paper will contain the principal occurrences of the week; foreign and domestic intelligence, miscellany, poetry, and other articles which may promote the information and amusement of its readers.

The terms are only TEN SHILLINGS per annum; the one half to be paid on the delivery of the third number, and the remainder at the expiration of the year. Subscriptions for half a year—SIX SHILLINGS.

Subscribers in the city will be served with the papers punctually at 5 o'clock, P. M. and subscribers in the country, by the earliest conveyances.

Advertisements inserted on the most reasonable terms, and in a conspicuous manner.

New-York, May 16, 1788.

N. B. Printing in general executed with neatness, accuracy and dispatch.

291. Henry Knox to Henry Jackson
New York, 18 May 1788 (excerpt)¹

... You will see from the papers the state of politics—South Carolina and Virginia will protest & adopt the New Constitution. The former is now in ses-

sion—The conduct of this state is quite problematical—The Antes say it will reject the constitution. . . .

1. FC, Knox Papers, GLC 02437.03875, The Gilder Lehrman Collection, the Gilder Lehrman Institute of American History, at the New-York Historical Society.

**292. Joseph Barrell to Samuel Blachley Webb
Boston, 18 May 1788 (excerpt)¹**

. . . I hope your Fœderal Party will honor themselves, & that the Antis will appear in their true Characters, & God knows that will be bad enough. . . .

1. RC, Barrell Papers, Yale University.

**293. Hollingsworth, Johnson & Co. to Levi Hollingsworth
Richmond, Va., 19 May 1788 (excerpt)¹**

. . . We are pleased to hear the Fedrelist in N. York are most numerous. . . .

1. FC, Hollingsworth Collection, PHI.

294. New York Daily Advertiser, 20 May 1788¹

A correspondent informs us, that of one hundred copies of the “*Genuine Information*” given by “the hon. Luther Martin, Esquire” printed at Philadelphia, and sent to Baltimore for sale, only one single copy has been sold, and that to a gentleman from Virginia—so truly federal are the inhabitants of the respectable state of Maryland, that the opinion of even their Attorney General against the new constitution, seems to be but little valued by them.

1. Reprinted: *Pennsylvania Journal*, 28 May.

295. New York Journal, 20 May 1788

A correspondent observed, in Mr. Morton’s paper of yesterday, that since the translation of the Farmer’s letters the French nation begins to understand the true principles of liberty. The author of that paragraph did probably not remember, or has, perhaps, never seen, the words of Montesquieu, Rousseau, Voltaire, and Raynal; he does not know, that besides these modern philosophers, there is no nation which has produced a greater number of deep and ingenious writers on government. It is strange that the American constitutions and bills of rights, almost entirely copied from Montesquieu, and the *contract social* of Rousseau should be said to occasion a revolution in France, whilst there is no man of information in that country, who does not know those authors by heart. Patriotism does not exclude modesty, and this virtue we recommend to every scrib-
bler.

296. New York Morning Post, 20 May 1788

Few people are able to form an adequate idea of the extent of the districts ceded to the United States of America, at the conclusion of the late war: It will not be amiss, therefore, to compare them with countries, with whose situation and extent we are more acquainted.—The following measurements are made with accuracy:—

The river Ohio is navigable from Fort-Pitt to its mouth, which is 1164 miles. The lands on the banks of the Ohio, and between the Alleghany mountains, the Lakes Ontario and Erie, and the Illinois and Mississippi rivers, contain 233,200 square miles, nearly equal to Great-Britain and France, whose contents are 235,237 square miles.

The lands between the Illinois, Lakes Huran and Superior, and the Mississippi at the Falls of St. Anthony, contain 129,030 square miles, nearly equal to Great-Britain and Ireland, which are 131,800 square miles.

The lands from St. Anthony's Falls to the south line, from the Lake of the Woods to the head of the Mississippi, contain 50,000 square miles, which is more than Holland, Flanders and Ireland, which are 57,908 square miles.

The Thirteen States of America contain 207,050 square miles, nearly as large as all Germany, Flanders, Holland and Switzerland, which contain 207,483 square miles.

297. New York Packet, 20 May 1788

The Packet printed on this day an account of violence in Dobbs County, N.C., during the first election in that county for delegates to the North Carolina Convention. For this account, written by Hugh Williamson, see RCS:N.C., 187–88.

**298. Samuel Blachley Webb: Notes on His Trip to Poughkeepsie
22 May–28 June 1788 (excerpt)¹**

. . . Friday, [June] 13th, Saturday 14th, Sunday 14th, at the Mansion House, 1 o'clock Sunday evening rode to Claverack, 8 P. M. lodged at Hogeboom's Set off at 3 o'clock Monday morning, the 11th June, and returned to the Hogeboom's Mansion to Breakfast, rode to the Hermitage 4 miles to Col. Peter Livingston and Dined there; met Mr. & Mrs. Patterson & daughter, Mrs. Montgomery, Miss Kitty Livingston & Mr. Jones, son of Lord Ranelagh; returned at even'g to the Hogeboom Mansion House.

Tuesday, 17 June, Set off w'h Col. Henry Livingston & Mr. Patterson; rode to Rhinebeck and lodged at Mr. Tilletson's.

Wednesday, 18 June, rose early and rode to Poughkeepsie.

Thursday 19, Friday 20, Poughkeepsie.

Saturday 21, with Phillip Schuyler, to Rhinebeck to Mr. Land's & lodged.

Sunday, 22d June. This morning parted the Bones of my right Ankle by a fall from a fence; pushed directly for Doctr. Thomas at Poughkeepsie.

Monday 23d, Tuesday 24th, Wednesday 25th, Thursday 26th, Friday 27th, Saturday 28th, at Poughkeepsie attending the Debates of Convention.

Poughkeepsie, Saturday evening, June 28th, 1788, at 7 o'clock P. M., embarked on Board Capt. Smith, and at 10 o'clock Sunday Even'g arriv'd at the Wharf in New York.

1. MS, Webb Papers, Yale University.

299. *New York Morning Post*, 23 May 1788¹

PARAGRAPH from a CORRESPONDENT.

It has been said, and perhaps with truth, that all governments incline to decay, and that the most free must end in tyranny. This observation will be acknowledged to be at least founded on probability, when we contemplate the rise and fall of ancient nations, and compare them with the *origin, progress, and present state* of the MODERN. Civilization and corruption are ever found to advance with equal steps. A nation, therefore, as it increases in age, must increase the power of her magistrates, as the only resource for controlling the multiplied vices of the people. Hence a democracy has usually been succeeded by aristocracy, and aristocracy by a monarchy. But though it may be impossible to prevent the free republics of America from *finally* meeting the fate of the other kingdoms of the earth, yet it is undoubtedly in the power of the citizens of them to *place the sad catastrophe at a distance*. And, if it is in their power, it would be a *sacrilegious contempt of the noblest gift of Heaven, to be inattentive to those measures necessary to effect so great a purpose*. WHAT THEN IS TO BE DONE? This is a question addressed to ALL, and to which PATRIOTISM and RELIGION demand a manly and deliberate attention. Nothing is more true, than that civil and religious tyranny are twin monsters; and that he, who dares surrender his LIBERTY, dares, in contempt of his GOD, to SUBMIT HIS SOUL TO A SHACKLE.

1. This paragraph was probably printed in the no longer extant *New York Morning Post* of 23 May. It was reprinted under a "NEW-YORK, 23 May," dateline in the *Philadelphia Independent Gazetteer*, 28 May. The paragraph was also reprinted in the *Richmond Virginia Gazette*, 21 June.

300. *New York Impartial Gazetteer*, 24 May 1788¹

HAPPINESS of AMERICA.

Hail happy land, where freedom smiles secure,
 Where no proud tyrant robs the thrifty poor;
 No empty lordling grasps the whole domain,
 Nor famish'd farmer tills the fruitful plain.
 Each peasant's cottage is his castles wall,
 And boundless liberty defends us all;
 No pompous monarch wields a sceptre here,
 No sacrilegious bishop do we fear.
 All unrestrain'd, no power but law can bind,
 Columbia's sons are free as passing wind;

Time out of mind, the poets us'd to stray
 O'er groves and grotts to paint the rural day:
 Rummage each mead and garden to compleat
 The ruff appendage of some country seat,
 Or rack'd invention to portray a grove,
 That only harbor'd innocence and love.

301. Ebenezer Hazard to Mathew Carey
New York, 26 May 1788 (excerpt)¹

. . . The Issue of the Maryland Convention was a very severe Stroke to our Anti-federalists too; but, I suspect, we shall have a majority of them in our Convention notwithstanding; however, I think the Constitution will finally be adopted by this State. . . .

1. RC, Lea and Febiger Collection, PHi.

302. Counting Ballots for Members of the State Assembly
Westchester County, 27–28 May 1788¹

We the Subscribers being a Majority of the Supervisors of the County of West Chester do hereby certify that we did on the last Tuesday in May in the year One Thousand Seven hundred and Eighty Eight meet at the Court House at Bedford in the said County the place where the last Court of Sessions of the Peace for the same County was held and they we, having before we proceeded to open any of the inclosures containing the Ballots for members of Assembly severally taken and subscribed before the Clerk of the said County the Oath prescribed in and by the Act of the Legislature of the State of New York Entitled an Act for Regulating Elections passed the 13th day of February 1787, did on that day and the succeeding day thereto, proceed to open the said inclosures delivered to the Clerk of the said County in pursuance of the said Act and canvass and estimate the said Votes in the said Inclosures contained, and upon such Canvass and estimate we determine The following persons by the greatest number of Votes for members of Assembly for the same County at the last succeeding Election have been chosen members of Assembly for the same County to wit. Philip Van Cortlandt, Philip Livingston, Nathan Rockwell, Thaddeus Crane, Walter Seaman and Jonathan Horton. In testimony whereof we have hereto subscribed our names this twenty eighth day of May 1788.

Richard Hatfield
 Gilb. Mudd
 Wm. Miller
 Thos. Bourne
 Wm. Lansher
 Isaac Irequa
 Abel Smith

Josh. Strang
 Abijah Gilbert
 Lewis Morris
 David Hunt
 Ph. V. Cortlandt
 Walter Seaman
 Hashaliah Brown
 Jonathan Horton

1. MS, Collection No. 131, Special Collections, Morris Library, Southern Illinois University, Carbondale, Ill.

303–314. ELECTION CERTIFICATES
27–30 May 1788

303. City and County of Albany Election Certificate, 29 May 1788¹

We the subscribers a major part of the Supervisors of the City and County of Albany do hereby pursuant to a joint resolution of the Legislature passed the 1st February 1788, Certify that we have Severally Canvassed and Estimated the Votes taken in the said City and County at the last Election for members of Convention and upon such Canvass and Estimate determine that the following persons Vizt. Robert Yates, John Lansing Junr. Henry Oothoudt, Peter Vrooman, Israel Thompson, Anthony Ten Eyck and Dirck Swart

have had the greatest number of Votes for members of Convention at the said Election—

Elbert Willett
 Stephen Van Rensselaer
 Jacob Cuyler
 Jacobus V Schoonhoven
 Nicholes Veeder
 Daniel Dickinson
 John W. Schermerhorn
 Daniel B Bratt
 James Gordon
 John Younglove
 Marcus Bellinger
 John B. Dumond
 Leonard Bronk
 Anthony Ten Eyck
 Israel Thompson

1. MS, McKesson Papers, NHi. Two election certificates are extant. They are identical in wording but differ in punctuation, capitalization, and order of the signatures of the supervisors. The certificate marked “Robert Yates” has been transcribed.

304. Dutchess County Election Certificate, 29 May 1788¹

We the Subscribers being a majority of the Supervisors for the County of Dutchess And Authorised by a Joint Resolution of the Senate and Assembly of the State of New York passed the first day of February one thousand seven hundred and eighty eight—Do Certify that Zephaniah Platt, Melancton Smith, Jacobus Swartwout, Gilbert Livingstone, Jonathan Akin, John Dewitt and Ezra Thompson

are elected Delegates for the County of Dutchess to meet in convention for the purpose and agreeable to the resolution aforesaid dated at the Court House at Pokeepsie the twenty ninth day of may one thousand seven hundred and eighty eight—

Lewis Duboys
 Jona. Dennis
 Reuben Ferris
 Ebenezer Mott
 Joseph Crane Junr.
 Josiah Holly
 Jonathan Akin
 Barnabas Paine
 John Haight
 Richd. de Cantillon
 Peter Cantine Junr.
 Abrm Brinckerhoff
 Fo[r] Gilbert Livingston Esqr

1. MS, McKesson Papers, NHi. Three election certificates are extant, for John DeWitt, Gilbert Livingston, and Jacobus Swartwout. They are in two different handwritings, with minor variations in capitalization, punctuation, spelling, and wording. The certificate for Livingston has been transcribed.

305. Kings County Election Certificate, 27 May 1788¹

We the Supervisors of Kings County do hereby Certify that Peter Lefferts & Peter Vandervoort Esqr. were by the greatest number of Votes chosen Delagates for Kings County at the last Preceeding Election, to meet in Convention at the Court House in Poughkeepsie in the County of Dutchess on the third Tuesday of June next, Pursuant to a Resolution of the legislature of this State Passed the 31st. of January 1788

In Testimony whereof we have Subscribed our Respective Names² this 27th. Day of May 1788

	Giarnandus Suydam
Charles Titus	Albert Terhune
Isaac Cortelyou	Johannes I Lott

1. MS, McKesson Papers, NHi. Two certificates are extant; they are identical except for one word (see note 2 below) and minor variations in spelling, punctuation, and capitalization. One certificate is not docketed; the other is docketed “Kings” at the top of the page and “read” at the bottom.

2. In one of the two certificates (see note 1 above), the word “hands” replaces “Names.”

306. Montgomery County Election Certificate, 28 May 1788¹

We the Subscribers, being the Majority of the Supervisors of the County aforesaid, having canvassed and estimated the Votes for Members of Convention for the same County, taken at the last general Election, pursuant to the Resolution of the Legislature of the State of New York for that purpose made & provided, do hereby certify, that upon such Canvass & Estimate we find that William Harper Christopher P. Yates, John Frey, John Winn Volkert Veeder and Henry Stauring Esquires have been choosen Members of Convention for the same County, at the said Election by the greatest Number of Votes.

Christian Velles
 Edward Paine
 Ab. Van Vechten
 Nicholas Quackinboss
 Henrich Stauring[?]
 Jacob Morris
 Chris. P. Yates
 Jno Smith

May 28th. 1788.

1. MS, McKesson Papers, NHi. Two copies of the certificate are extant in different handwriting; they are identical except for minor variations in punctuation and capitalization. Both certificates are docketed "Montgomery" and "read."

307. City and County of New York Election Certificate, 29 May 1788¹

We Richard Varick Esquire Recorder, and William W Gilbert, Jeremiah Wool, Peter Elting, John Wylley and Marinus Willett Esquires Alderman of the said City, Do certify that we have canvassed and estimated the votes contained in the Inclosures delivered to the Clerk of the said City, and taken at the late Election held in pursuance of the concurrent Resolutions of the Senate and Assembly of the 31st. of January and 1st. of February last past, and that we have on such canvass and estimate determined that John Jay, Richard Morris, John Sloss Hobart, Alexander Hamilton, Robert R Livingston, Isaac Roosevelt, James Duane, Richard Harison and Nicholas Low—were by the greatest number of votes chosen for Delegates for the City and County of New York to meet in Convention at the Court House in Poughkeepsie in the County of Dutchess on the third Tuesday of June next pursuant to the said concurrent Resolutions of the Senate and assembly of the 31st. of January and 1st. of February last past. Given under our Hands this twenty ninth Day of May in the Year of our Lord One thousand seven hundred and eighty eight—

Richd. Varick
 Wm. W. Gilbert
 Jeremh. Wool
 Peter Elting

John Wylley
M. Willett

1. MS, Duane Papers, NHi. The certificate is endorsed, "Certificate of electing/James Duane as a/Delegate/for Convention/29th May 1788."

308. Orange County Election Certificate, 28 May 1788¹

At a Meeting of the Supervisors of the County of Orange at the Court House at New City in the precinct of Haverstraw on Tuesday the Twenty seventh day of May One Thousand Seven Hundred and Eighty-eight to Examine Canvass and Number the Ballots for Delegates to meet in Convention at Poughkepsie the third Tuesday in June Next in pursuance of a Resolution of the Legislature of the State of NewYork the Thirty first day of January and the first day of February 1788

And upon Examination of the Ballots from the Different precincts of the said County We do Certifie that John Haring Esquire Coll. Jesse Wood Hull Henry Wisner Esquire and Captain John Wood are duly Elected Members to represent this County in the Convention aforesd. In Testimony whereof we the Supervisors of the said County have hereunto sett our Hands the 28th. day of May 1788

Jesse Woodhull
James Carpenter
John M Hogenkamp
David Pye

1. MS, McKesson Papers, NHi. This certificate is addressed "To John Haring Esqr." Docketed: "Orange/John Haring Esqr./read."

309. Queens County Election Certificate, 28 May 1788¹

We the Subscribers Supervisors of Queens County do hereby certify to all whom it may concern that Samuel Jones, John Schenck Nathaniel Laurence and Stephen Carman are hereby declar'd by us to be chosen delegates to meet in Convention at Poughkeepsie on the Seventeenth day of June next for the said County of Queens as appears by the Ballots taken at the last Election which we have canvas'd agreeably to the Resolusion of the Legislature in such Case made and provided given under our Hands this the 28th May 1788—

James Townsend
Nath[ani]el Seaman
Lewis Cornwall
John I Skidmore
Robert Furman
Andries Hegeman

1. MS, McKesson Papers, NHi. There are two extant certificates, one addressed to "Mr. Stephen Carman/South Hampsted" and one to "Samuel Jones Esqr/New York." Both certificates are docketed "Queens" and "read." While they are in different handwritings, they contain only minor variations in wording, spelling, capitalization, and punctuation.

310. Richmond County Election Certificate, 28 May 1788¹

We the subscribers, Supervisors of the county of Richmond having canvassed and estimated the number of Votes delivered in the several lists or Poll Books, by the Clerk of the County of Richmond for Delegates in convention, Do certify that Abraham Bancker and Gozen Ryers are elected to Represent this county in Convention.

Witness our hand this 28th. day May 1788.

Joshua Messereau	} Supervisors
John Wandel	
Richard Conner	
Cornelius Cole	

1. MS, McKesson Papers, NHi. Two nearly identical copies of this election certificate exist, with only minor variations in wording, spelling, capitalization, and punctuation. One is endorsed, "Supervisors/Certificate/for/Gozen Ryers Esqr/Deligate of Conveñ." The other is docketed "Richmond" and "read."

311. Suffolk County Election Certificate, 27 May 1788¹

At a meeting of a majority of the Supervisors of the said County on the Twenty seventh Day of May 1788 at the County Hall in the said County

Present Selah Strong	} Timothy Carll	
Jared Landon		Silas Halsey
Jonathan N. Havens		John Dayton
Philetus Smith		Richard Udall

The Clerk of the said County having delivered to the said Supervisors the Ballots or Tickets together with the Poll Books or Lists for Delegates for the said County to meet in Convention, on the third Tuesday in June next, agreeable to the mode prescribed by a Resolution of the Legislature passed the Thirty first day of January 1788 the Supervisors proceeded to canvass & estimate the said Ballots by which it appeared that Henry Scudder, Jonathan N. Havens, John Smith, Thomas Tredwell & David Hedges, by the greatest number of Votes were chosen Delegates for the said County at the Election, held on the last Tuesday in April last past, in & for the said County. In Testimony whereof we have hereunto subscribed our Names the Day & Year above written.

Selah Strong	} Supervisors
Silas Halsey	
Timothy Carll	
Jared Landon	
Philetus Smith	
John Dayton ²	
Jonathan N. Havens	
Richard Udall	

1. MS, McKesson Papers, NHi. There are two copies of this certificate, in different handwritings, with minor variations in capitalization, punctuation, and spelling, but otherwise identical wording. One certificate is endorsed, "Thomas Treadwell Certifi/cate for Delegate in Con/vention/Suffolk"; both certificates are docketed "Suffolk" and "read."

2. John Dayton's signature was omitted from the certificate endorsed to Thomas Treadwell.

312. Ulster County Election Certificate, 29–30 May 1788¹

We the Subscribers being Supervisors of the County of Ulster do certify that on the 29th & 30th. Days of May 1788 Canvassed and estimated the Votes taken at the Election held on the last Tuesday of April last past in and for the said County—In Pursuance of a Joint Resolve of the Senate and Assembly of the State of New York passed the 31st. Day of January and the 1st. Day of February 1788, recommending to the People of the said State to chuse by Ballot Delegates to meet in Convention for the purpose of taking into consideration the report of the Convention of the States lately Assembled at Philidalphia with the resolutions and Letter accompanying the same, That George Clinton, John Cantine, Cornelius C. Schoonmaker, Ebenezar Clark, James Clinton and Dirck Wynkoop Esquires

were elected Delegates for the said County to meet in Convention for the purpose aforesaid,

Peter Van Gaasbeck	A Wynkoop
John Robinson	Anning Smith
Corn. E Wynkoop Jr	Johannis G. Hardenbergh
David Galatian	Nathaniel Dubois
Elias Hasbrouck	Mathew DuBois
Samuel Watkins	Peter Gluddebach

1. MS, McKesson Papers, NHi. There are two extant copies; both appear to be in the same handwriting and are virtually identical, with only minor variations in punctuation and capitalization.

313. Washington County Election Certificate, 28 May 1788¹

We hereby Certify that agreeable to a concurrent resolution of the Honorable the Senate & Assembly of this State passed

Albert Baker² Esquire is legally elected a Member from this county to the Convention of this State to assemble at Poughkeepsie on the 17th day of June next for the purposes in the said resolution mentioned.

Given under our hands at Salem this 28th day of May 1788

Augusten[?] Odel	} Supervisors
John Rowan	
Cornelius Jones	
Seth Sherwood	
William Reid	
Gidn Worrin	
Daniel Curtice	
George Wray	
Alexr. Webster	

1. MS, McKesson Papers, NHi. Certificates for all four delegates are extant. The certificates are virtually identical. The certificate for David Hopkins is endorsed, "Certificate of/ Supervizers/for Convention"; the other three are simply docketed, "Washington." All four certificates are also docketed as "read."

2. In the three other certificates (see note 1 above), this name is replaced with "The Honble. David Hopkins," "Ichabod Parker," and "The Honorable John Williams" respectively.

314. Westchester County Election Certificate, 29 May 1788¹

We the subscribers being a majority of the Supervisors of the County of West Chester do hereby certify that we did on the Last Tuesday in May in the Year 1788. Meet at the Court House at Bedford, in the said County the place where the Last Court of sessions of the peace for the same County was held and that after we had canvassed and estimated the Votes taken for Members of Assembly for the said County agreeable to the Act of the Legislature of the State of New York Entitled an Act for Regulating Elections passed the 13th. Day of February 1787. Did immediately take and subscribe before the Clerk of the said County the Oath directed in and by the said Act and a Resolution of the Senate and Assembly of the said state passed 31st. January 1788, and proceed to open the Inclosures containing the Ballots delivered to the said Clerk of the said County, for Delagates for the said County to meet in Convention at the Court House in Poughkeepsie in the County of Dutchess on the third Tuesday of June next persuant to the said Resolution and upon such canvass and estimate we determine the following persons by the greatest number of Votes for delagates for the same County of West Chester at an Election held on the last Tuesday in April Last pursuant to the said Resolution have been chosen Delegates for the same County of West Chester to Wit, Lewis Morris, Philip Van Courtlandt, Richard Hatfield, Philip Livingstone, Thadeus Crane and Lot Sarlls. In Testimony whereof we have hereunto subscribed our names this Twenty Ninth Day of May AD 1788—

Thos. Bonne
Isaac Requa
Gilbt. Budd
Lewis Morris
Jonathan Horton

David Hunt
 Abel Smith
 Hachaliah Brown
 Walter Seaman
 Jos[ep]h Strang
 Richard Hatfield
 Abijah Gilbert
 Ph. V. Cortlandt
 Wm Lanshir

1. MS, McKesson Papers, NHi.

315. A Customer

New York Journal, 27 May 1788

MR. GREENLEAF, By inserting the following character (extracted from the additional letters of the Federal Farmer) of the long-winded productions of Publius; you will much oblige

A CUSTOMER.

“As to the lengthy writer in New-York you mention, I have attentively examined his pieces; he ^(a) *appears* to be a candid good-hearted man, to have a good style, and some plausible ideas; but when we carefully examine his pieces, to see where the strength of them lies, when the mind endeavours to fix on those material parts which ought to be the essence of all voluminous productions, we do not find them: the writer seems constantly to move on a smooth surface; the parts of his work, like the parts of a cob-house, are all equally strong and all equally weak, and all, like those works of the boys; without an object; his pieces appear to have but little relation to the great question, Whether the constitution is fitted to the condition and character of the people, or not?”

(a) There is a great difference between *appearance* and *reality*.

316. Abraham G. Lansing to Abraham Yates, Jr.

28 May 1788¹

This Evening the Supervisors finished Canvassing the votes for Assembly in this County—and I have the pleasure to inclose you a State of each poll taken from the Books of the Board of Supervisors. The Majority of the Assembly is much greater than we had reason to expect—our antagonists are much crest fallen and have very Little to say. Communicate the agreeable information to his Excellency and all our Friends—Letters will be forwarded from our Committee on the Subject but they will probably not be in time for the mail as it is to be closed immediately.

I have received your Letter of 25 Inst—The Family are well. I have not time to write more

1. RC, Yates Papers, NN. The letter is dated “27 May 1788/Wednesday.” Wednesday was 28 May.

**317. Henry K. Van Rensselaer to Nicholas Fish
Greenbush, N.Y., 28 May 1788 (excerpt)¹**

. . . I take this earliest opportunity of answering your letter of the 2nd. April last, it was delivered to me two or three days ago in a tattered situation—scarcely legible. It has been suppressed I suppose by some zealous—Federalist, who has feared that it came from his Excellency, the Governor, & must not be given me till after the Election

Be pleased therefore to send your Letters to me by the Mail, for fear of future miscarriage. . . .

1. RC, Fish Family Papers, Columbia University.

**318. Philip Schuyler to Angelica Schuyler Church
Albany, 28 May 1788 (excerpts)¹**

My dearly beloved Child.

. . . The Convention of this state to decide upon the new Constitution will meet of the 17th of next month, a majority will be opposed to It, but we must ultimately adopt It, and when It is adopted this country will be a much more eligible residence than It is at present. . . .

1. RC, Church Family Papers, Yale University.

**319. Abraham Yates, Jr., to Abraham G. Lansing
New York, 28 May 1788¹**

I begin this letter in the Congress Room yesterday. We had Nine. I hear another member is come in from North Carolina which will bring us up to Ten States. It is said others are expected. Whether the attending so many state is entirely owing to an exertion necessary then Nine States shall have adopted the New Constitution or whether something else is in agitation I know not. At present We have had nat'l material in considrn. I apprehend it will be brought on the carpet to give a sanction to a Loan proposed to be taken in Europe to pay for the Interest Due for the Last year a measure exceeding precautions.

I am treated with equality and in my usual manner am as Civil as I can to every one. I arrived Sunday morning and Directly waited on Coll. Hamilton to be informed within the Commission in the name of all five or wether I must take out a Commission for myself—and before whom he had qualified (the Delegates are ordered to take the New Oath of Allegiance) Being answered that he had not known but lately that he was to qualify he had not done it we agreed to go the next day before Report to qualify. After that we both went to take our oaths. Yesterday he called at my lodging. I was not at home, today he has Invited me to Dine with him next Sunday which I shall do. In Respect to Federal and Anti-federal I find that it is believed here (I mean by the Delegates) that the anties will be 40 to the federal 25. Hammilton tells me today he supposes that the anties will adopt the constitution and propose amendment. I told him I was in hopes

they would [not] be guilty of such an absurdity—he tells me we are in a difficult situation it may be the means, if we dont, to divide the Southern from the Northern States and to divide the union. I told him I would be exceeding sorry of that: but reather than to adopt the Constitution I would risk a government of Jew, Turk or Infidels on a firmer Constitution. he mention'd our situation was difficult and did not know how precedence would order it: I told him the government that were agreeable to precedence had for its Pillers *High principles* and *truth* I could hardly think that precidence had a hand in a government were it required to wade through such a sum of corruption falshood and misrepresentation. I have been attacked by several other members and I generally ply of[[f] in the same way all in good humer. I expect a good Deal of that tomorrow. I am to dine with the President Mr Jefferson Here ends the first Chapter
P.S. I have urged the Members here to prepare for Amendment they tell me they Do—I am afraid they are too slack.—

1. RC, Yates Papers, NN.

320. *New York Journal*, 28 May 1788¹

Yesterday the counting of the votes for members of convention, senate, and assembly, commenced throughout the state; in a few days we shall be able to lay before the public the names of the persons whom they have elected to the above important stations.

1. The *Journal* also printed a similar report on the next day, 29 May.

321. John Jay to George Washington New York, 29 May 1788¹

◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

1. Dft., Jay Collection, Columbia University.

322. *New York Journal*, 29 May 1788

The approaching summer, says a correspondent, will be the most *interesting that America ever saw*. Newspapers will become more important to our friends in the country than they ever have been; for, in a free country, what member of the community ought not to be informed of its political manouvres, or who of them is there indifferent or luke-warm. Is it well that any remain neutre at such a season! Rouse then, provide some more effectual means for the communication of intelligence, through the different parts of the country.—NEWS-PAPERS are the GUARDIANS OF FREEDOM; by NEWSPAPERS only are ye made acquainted with the *rise* and *fall* of empires: and, of the FREEDOM or the SLAVERY of your own species.

323. Pittsfield, Mass., Berkshire Chronicle, 29 May 1788¹

We learn from New-York, that on closing the poll for members of convention of that State, to take into consideration the proposed new Constitution, the members chosen for that city, as well as on Long and Staten Islands, were almost wholly *federal*.

1. See also Poughkeepsie *Country Journal*, 6 May (above).

**324. John Armstrong to Horatio Gates
New York, 30 May 1788 (excerpt)¹**

. . . There's no part of my conduct on which I would not wish your approbation & I have yet no reason to think the resignation of my judicial appointment an improper step. On the contrary I think with you it was right & that a little in Society is much more desirable than a great deal in a heart. The career however which the new government opens I'm far from thinking flattering to men of my Age or character—for tho' a friend & Advocate of the system (as a Step towards common sense & practicable Government) yet it fall so far short of what I know to be the situation to believe to be the character of this Country—that I despair at one of both the stability & convenience of the Œdifice. The fact is my dear Gen. that my creed as to popular governments is very much chang'd under a little experience of their operation—& I suspect that shape them as you will you must find them on experiment both foolish & feeble. The philosophy that teaches the equality of mankind & dignity of human nature is founded in vanity & addressed to it alone—And in my opinion tho' there be less consolation there is infinitely more truth in the opposite doctrine, that the many were made for the few, & that we are better govern'd by rods than by reason. These ideas I wish you to consider however as merely speculative & such as I would express only to a tried & bosom friend; they convey my fears, not my wishes—& will ever be more a matter of opinion than a rule of conduct. What particular part I'm destin'd to [play] in this new drama I know not?—My standing at present, considering my age, & that I have been oblig'd to make my way thro' very narrow & hostile politics—is as forward as I had any right to expect, & more so perhaps, when I consider how many with better pretensions, because with more collateral supports—I have left behind me.—This consideration will not however induce me to push myself forward, for other or greater distinctions—I will neither conceal myself from view, nor obtrude myself upon it—& then if appointments come, they will sit easy. My friends in Pennsylvania have I heard already tho't of a place for me, & mean to by their force in sending me to the new Senate—but as they will have but two seats of that kind to fill, I need hardly say that they will be seats of much competition. The rich & the ag'd, (as the nat[u]ral representatives of property & wisdom & the true counter ballance to the cormorants of the lower house,) will expect, & most probably get them—& indeed so little am I set upon success in the trial, that I scarcely feel a wish to cross them. My leading wish is to see them *well* fill'd. . . .

1. RC, Gates Papers, NHi.

325. William Bingham to Tench Coxe
New York, 30 May 1788 (excerpt)¹

I inclose you a Pamphlet, which has considerable Merit, & has operated very forcibly on the Minds of the People here.

The Returns of the delegates to the New York Convention have not as yet been forwarded to the City—but it is expected that the antifederalists will have a Majority of 10 to 15—the Number if 65—but as yet, it is all Conjecture. . . .

1. RC, Coxe Papers, Series B, Correspondence and General Papers, PHi. For other excerpts from this letter, see Mfm:N.H. 83 and RCS:S.C., 536.

326. A Carpenter
New York Packet, 30 May 1788

Messrs. LOUDON, By inserting the following in your paper, you will oblige a customer.

In Greenleaf's paper of Wednesday the 30th of April, a piece wrote rather derogatory to the Master Carpenters of this city, who are true federalists—by a person who signs himself CENSOR.

This writer seems to insinuate that they are led by the nose by a Mr. Anthony Post, with respect to their whiggish principles. Mr. Censor would stigmatise the master carpenters, by calling them a groupe of narrow minded, ignorant tools. As for Mr. Anthony Post, he was elected by this body for the evening, much in the same manner as Mr. Daniel Dunscomb was chosen by a small party, at the meeting of the mechanics at the house of Mr. Vandewaters. In regard to Judge Ward, we consider him as a good and worthy character in several respects, but in the cause of federalism, we could not avouch for a man that was against us. Here Mr. Censor, *Censorious grope*, I take my leave of thee: And remember the carpenters who have fallen in battle in the late war. Witness a Cheesman, at the siege of Quebeck, and others that I shall not now mention. Are not the carpenters at this present time distinguishing themselves, by rebuilding part of the city which was destroyed by the enemy in the late war, and shall they be had in derision by a man who calls himself the CENSOR?

327. Ebenezer Hazard to Jeremy Belknap
New York, 31 May 1788 (excerpt)¹

. . . We do not know how the Votes for Convention have gone in this State yet: in this City the Feds. have a prodigious Majority, but I suspect the Counties will be mostly antifederal. The Governour had but 134 Votes in the City. . . .

1. RC, Belknap Papers, MHi.

328. New York Independent Journal, 31 May 1788

At the late election for Members of Assembly for the City and County of New-York, it appears that 1650 votes were taken at the different Polls: and that the nine following Gentlemen, who are Federalists, are elected to represent this City and County for the ensuing year, viz.

RICHARD HARRISON,	1500
ALEXANDER MACOMB,	1485
WILLIAM W. GILBERT,	1474
NICHOLAS HOFFMAN,	1473
BROCKHOLST LIVINGSTON,	1461
JOHN WATTS, jun.	1446
NICHOLAS LOW,	1438
GULIAN VERPLANK,	1434
COMFORT SANDS,	1050

PETER LEFFERT and PETER VANDEVOORT, Esqrs. are elected Members of CONVENTION for King's County.—And

The canvassing of the votes for Members of CONVENTION, for this City, closed on Thursday last. It appears that the whole number of votes given in at the different polls, is 2836, and that the Representation stands as follows:—

JOHN JAY,	2735
RICHARD MORRIS,	2716
JOHN S. HOBART,	2713
ALEXANDER HAMILTON,	2713
ROBERT R. LIVINGSTON,	2712
ISAAC ROSEVELT,	2701
JAMES DUANE,	2680
RICHARD HARRISON,	2677
NICHOLAS LOW,	2651

The above Gentlemen composed the FEDERAL TICKET.

Of the opposite party;

His Excellency Governor Clinton had	134
Colonel Willett,	108
William Denning,	102

The remaining candidates held up, had not more than 30 votes each.

ABRAHAM BANCKER and GOZEN RYENSS, Esquires, are elected to represent the County of Richmond in Convention.

JOHN C. DONGAN and ABRAHAM BANCKER Esquires, are elected to represent the same county in Assembly.

We are informed, that SAMUEL JONES, JOHN SCHENCK, STEPHEN CARMAN, and WHITEHEAD CORNELL, Esquires, are elected Representatives in Assembly for Queen's County.

The following is a statement of the votes, as given in, in the different Counties:

	L'Hommedieu.	Rosevelt.	Michau.	Gelston.	Ward.	Lockwood.
New-York,	705	672	631	69	61	—
West-Chester	217	135	114	92	165	139
Suffolk,	210	2	—	203	99	44
Queens,	185	119	71	98	19	74
King's,	141	131	128	15	19	3
Richmond,	79	87	102	1	—	1
	<u>1537</u>	<u>1146</u>	<u>1046</u>	<u>478</u>	<u>363</u>	<u>261</u>

329. Alexander Coventry Diary
Hudson, N.Y., 1 June 1788¹

Sunday 1 June. Clear and pleasant; moderate through the day, with high west wind and coldish at night. Rode to Hudson; called upon Dr. Wheaton whom I found at home, and has got a daughter this morning, which makes the third in the family. After I had been there some time, a Mr. Osmire, a young attorney came in, and we had some conversation. Osmire is an agreeable, modest, and most intelligent young man. The Antifederalists have got a large majority, both in this and the upper counties; about 2000 in Albany and my old friend Duncan has got voted in for Assemblyman. Called in at Tunnickliffe's where I drank tea, and got a few seed pears.

1. Typescript, Alexander Coventry Diary, NHi.

330. The New York Journal Reports Albany County Election Returns
2-9 June 1788

New York Journal, 2 June 1788

RETURNS since our last.
MEMBERS of CONVENTION,
Albany County, ANTI-FEDERAL.

John Younglove,	4807 Votes.
John Lansing, jun.	3048
Cornelius Van Dyck,	3033
Jeremiah Van Rensselaer,	3022
John Thompson,	3006

John Duncan,	2990
Henry K. Van Renssalaer,	2911

FEDERAL CANDIDATES do. unsuccessful.

Stephen Van Rensselaer,	1953 Votes.
Leonard Gansevoort,	1888
Richard Sill,	1877
Hezekiah Van Orden,	1871
John Knickerbacker, jun.	1868
Isaac Vrooman,	1851

New York Journal, 3 June 1788

See RCS:N.Y., 1418–19.

New York Journal, 5 June 1788

MEMBERS of CONVENTION.

Albany County.

—ANTI-FEDERAL TICKET—

Robert Yates, 4670, John Lansing 4681,
Henry Oothoudt 4678, Peter Vrooman 4671,
Abr'm TenEyck 4657, Dirck Swart 4673.

FEDERAL TICKET.

Abr. Tenbroeck 2627, Jacob Cuyler 2620,
Francis Nicoll 2617, P. Gansevoort j. 2621,
Jerom. Hoagland 2613, James Gordon 2617,
John W. Schemerhorn 2610, and
Israel Thomson, 4666.

MEMBERS of ASSEMBLY.

Albany County, ANTI-FEDERAL.

John Younglove,	4807 Votes.
John Lansing, jun.	3048
Cornelius Van Dyck,	3038
Jeremiah Van Rensselaer,	3022
John Thompson,	3006
John Duncan,	2990
Henry K. Van Renssalaer,	2911

FEDERAL CANDIDATES do. unsuccessful.

Stephen Van Rensselaer,	1953 Votes.
Leonard Gansevoort,	1888
Richard Sill,	1877
Hezekiah Van Orden,	1871
John Knickerbacker, jun.	1868
Isaac Vrooman,	1851

MEMBERS of CONVENTION.

Dutchess County, ANTI-FEDERAL.

Zephaniah Platt,
 Melancton Smith,
 Jacobus Swartwout,
 John De Witt,
 Gilbert Livingston,
 Ezra Thompson,
 Jonathan Akins.

MEMBERS of ASSEMBLY, do.

Isaac Bloom,
 Gilbert Livingston,
 John De Witt,
 Jonathan Akins,
 Matthew Patterson,
 Jacob Griffins,
 Samuel A. Barker.

*MEMBERS of CONVENTION.**Ulster County, ANTI-FEDERAL.*

His Excellency Gov. Clinton,	1372
John Cantine,	1339
Cornelius C. Schoonmaker,	1045
Ebenezer Clark,	1356
James Clinton,	905
Dirck Wynkoop,	1055

FEDERAL, unsuccessful.

Johannes Bruyn,	68
Jacobus S. Bruyn,	35
Cornelius T. Jensen,	29

*MEMBERS of ASSEMBLY.**Ulster County, ANTI-FEDERAL.*

John Cantine,
 Christopher Tappan,
 Johannes G. Hardenburgh,
 Cornelius C. Schoonmaker,
 Nathan Smith,
 Ebenezer Clark.

New York Journal, 9 June 1788

On Saturday arrived here the sloop Fanny, Ingram, Bermuda, 10 days: And yesterday the sloop Two Sisters, — from Bermuda.

☞ Agreeable to the request of our correspondent, R. we have corrected the error in Thursday's paper, as follows:

MEMBERS of CONVENTION.

Albany County.

—ANTI-FEDERAL TICKET—

Robert Yates,	4670 Votes.
Henry Oothoudt,	4678
Abraham TenEyck	4657
John Lansing,	4681
Peter Vrooman,	4671
Dirck Swart,	4673
Israel Thomson,	4666

331. New York American Magazine, 3 June 1788¹

Observations leading to a fair examination of the system of Government, proposed by the late Convention, and to several essential and necessary alterations in it—in a number of letters from the Federal Farmer to the Republican 1787. And, an additional number of letters from the Federal Farmer to the Republican—1788.

These pamphlets are in general written with candor, and contain many judicious remarks on the proposed federal government; but the arguments want method, and the reader is consequently fatigued with numberless repetitions. The general design of the publications is to point out the defects of the new constitution and the necessity of amendments. In pursuance of this plan, the author dwells long on the *possibility* and *probability* that the powers of the general government will be abused, and the liberties of the people endangered. The friends of the constitution do not deny the existence of this *possibility*; but they deny the possibility of framing a system of government which shall not be liable to the same objection. The Jewish Theocracy proved in practice as exceptionable a government as many that are of human origin. The only question then is, whether the new constitution is as good as it may or can be. The political wisdom of neither party can solve this question—the decision of it *must* be left to *experiment*. The author maintains that the federal representation will be too small, and that all orders of men, merchants, farmers, mechanics, &c. should be represented by some of their own professions. In these positions, especially in the latter, we do not agree with the Federal Farmer. The suffrages of the people must be left free. To restrict them to particular classes of men would be an abridgement of that liberty for which our author contends. But the principle that each order of men should be separately represented in the national Legislature, is not well founded. However it may be useful or necessary to represent each profession in the state assemblies, yet the principle will not apply to the federal legislature; for in the latter, *States* are represented, and not particular

orders or districts. The people at large, it is true, choose the delegates of one branch; but the men chosen represent the *collective interest* of all orders—the State. Delegates, therefore, should understand, not merely the interest of *one order* of men, but the *combined interest* of the community. He should be a man of *general information*.

We likewise differ from our author in respect to the principle of *rotation*. It is a favorite maxim in some of the States, that when a man has served as an officer a year or number of years, he should be rendered ineligible, at least for a time. The maxim deserves ridicule; but I will treat it with more respect. It is objectionable in two points of view. In the first place, it is a reflection on the integrity and understanding of the freemen who are to be the future electors; and in the second place, it is an usurpation of power by the State that adopts the principle. For a freeman to say that he dares not trust himself with the full power of election, three years hence is a gross insult to his own understanding; and for the freemen of a State, this year, to declare that the freeman of the State, three years hence, shall not exercise the same unlimited power of choosing legislators, as they themselves exercise, is a flagrant violation of the *first* and *best* privilege in government. That there may be a propriety in a rotation of offices, at certain times, is certain; but there may be also a great impropriety in it at other times; and of this propriety or impropriety, the free men have at *all times* the unlimited right of judging.

Several passages in the work before us are equally exceptionable; but on the whole, it is conducted with more candor and good sense, than most of the publications against the new constitution.

1. Printed: New York *American Magazine*, May (pp. 422–23).

332. Poughkeepsie Country Journal, 3 June 1788

Extract of a letter from Albany, May 27.

“This afternoon the Supervisors of this county have finished the canvass of Assembly-men—the anti-constitutional candidates have succeeded by a majority of one thousand & ninety-five votes, and our anti-candidates for convention will undoubtedly carry it by a much greater majority.”

333. Poughkeepsie Country Journal, 3 June 1788

From the most accurate calculations to be made with respect to the late election for members of Convention, it is thought there will be a majority of about 20 against the adoption of the proposed federal government.

334. Peter Allaire: Journal of Occurrences New York, 4 June–4 July 1788 (excerpts)¹

. . . June 25 . . . The State of New Yorks Convention are now in high debate, but the adoption of New Hampshire has Already Altered the Opinion of many & changed the ground of Argument the Question is now, whether we will join the Union or be a Republick of our own.

As soon as the Ratification had been read in Congress they Ordered Coll Henry Delegate from Virginia Express to their Convention who set off Immediately, we hourly expect the Ratification from Virginia, and are preparing a grand procession for to celebrate the News. . . .

I make not the least doubt but our federal Government will be compleat & Organized and do Business before the next Year. there is a great deal to do, but the grand point is to persuade the People at large to have faith and Confidence in them, for at present the federal Government under Congress cannot procure Credit throughout the United states for One hundred pounds Sterling. you may depend on the earliest intelligence of their formation & proceedings.

July 3. An Express to Congress that the State of Virginia have Adopted the federal Union by a Majority of Ten.

1. RC, Foreign Office, Class 4, America, Vol. 6, ff. 425–32, Public Record Office, London. Endorsed "Intelligence From New York./R. 21st. Augt. 1788. From Sir G[eorge] Yonge."

335. Nathaniel Hazard to Mathew Carey, 5 June 1788 (excerpt)¹

. . . Of the Members of our State Convention, two to one are anti, however, if Virginia adopts it, it will go here, I have no Doubt, as Matter of *Expedience*.

1. RC, Lea and Febiger Collection, PHi. This excerpt was printed in the *Pennsylvania Mercury*, 12 June, and reprinted in the Fredericksburg *Virginia Herald*, 19 June, and Winchester *Virginia Centinel*, 25 June.

336. Nathaniel Hazard to Theodore Sedgwick New York, 5 June 1788¹

It gives me great Satisfaction to hear of your Election to the Chair, in the Massachusetts House of Representatives. It is a decisive Proof, of the increasing strength of Federalism with you. Our *Antis* have dwelt with Satisfaction, on the small Majority of your Convention, in so great a State. From the Returns of our State Convention, Two thirds are undoubtedly Anti; but if Virginia adopts, which we do not doubt, It must go here, as Matter of Expedience. Never were so many Votes given in at any Election in this City and County, as for the State Convention; nor were the People ever so *unanimous* I may say, as on this Business; as the inclosed will inform you.

23rd. Inst. South Carolina ratified, without proposing Amendments, 149 to 73. We are informed that a very considerable Majority of both Branches in your State are federal, pray let me know ~~if~~ Post if this is true, and what are the supposed Numbers; and what we may safely count upon from Newhampshire.

There is a valuable political work published Monthly at Philadelphia, called the American Museum; it contains all the Publications in the News Papers, and small Political Pamphlets, printed in America; many Speeches in Conventions, Legislatures &c. and exhibits a regular & compleat View of american Politics. The Printer & Compiler of it, Mr. Mathew Carey, printed the Volunteers Journal in Dublin; and oppressed for the patriotic Freedom of his Press there, by Gov-

ernment, he has taken Refuge in America. I am well acquainted with him; He is a Gentleman, and a man of Letters. He has near 900 Subscribers; amongst them Genl. Washington, Dr. Franklin, Govr. Randolph and very many other distinguished Characters—It commenced in January 1787 at 2 Dollars and a half ~~per~~ Annum—It is a rich Magazine of Information, on american Politics, Commerce, Agriculture, and Mechanics; that I am confident will charm you. It is calculated to dispel the Clouds of political Ignorance, and instruct, and enlighten america. I must intreat your Exertions to procure Subscribers, and circulate this very patriotic, and useful Work. If you should wish to Subscribe, I can forward your Books regularly, to care of my Brother in Law David Judson Esqr. at Kinderhook. In the Course of the different Numbers of the Museum already published, have been reprinted, the political Works of Trumbull and Humphries, Paynes Common Sense, &c. &c. and all the american Poets will be by Degrees inserted in it.

Carey is a Federalist to Enthusiasm. He fought with Coll. Oswald the great Philadelphia *Anti*, but was wounded by him in the Knee.

1. RC, Sedgwick Papers, MHi. Enclosed in the letter was a clipping from the *New York Daily Advertiser*, 30 May, of the members elected to the state convention from the City and County of New York (RCS:N.Y., 1525–26).

337. Confederation Congress Despatch Book New York, 6 June 1788¹

6 June 4 J. Jay that he is elected a member of Convention & will attend if agreeable to Congress.

1. MS, PCC, Item 185, Despatch Book, 7 February 1787–1 July 1789, p. 346. Entered as received on 6 June.

338. Confederation Congress Resolve New York, 6 June 1788¹

Ordered that a letter of June 4th. 1788 from Mr. John Jay informing that he is elected a member of the State Convention, be referred to the Secretary of Congress to take order to inform him he has leave to attend, if he inclines to go.

Chas Thomson Secy

1. MS, PCC, Item 122, Resolve Book of the Office of Foreign Affairs, 1785–1789, p. 123.

339. Victor Du Pont to Pierre Samuel Du Pont de Nemours New York, 6 June 1788 (excerpt)¹

. . . Good news for the federalists is that South Carolina has just adopted the new Constitution with a majority of 76. Only one more is needed for us, and we four who give an opinion next month. It is a settled affair. Some say this will be Virginia, other say New Hampshire. The convention of New York is full of anti-federalists; thus it is very probable that this will adjourn the new Congress to Philadelphia. This is how we have defined the dispute between the federalists

and the antifederalists; “Must we pay our debts or must we not pay them.” The men of this city here who much prefer the second way do not at all like this definition which I take care to tell them as often as I can. . . .

1. RC (Tr), Victor DuPont, Eleutherian Mills Historical Library.

340. Samuel A. Otis to Theodore Sedgwick
New York, 6 June 1788 (excerpt)¹

. . . In NY the opposition is powerful, but I think they will play the politician, procrastinate until the determination of Verginia & N Hamshire is known—If they assent Join them. . . .

1. RC, Sedgwick Papers, MHi.

341. Abraham Baldwin to Joel Barlow
New York, 8 June 1788 (excerpt)¹

. . . Not many memorable events have happened since we parted. South Carolina ratified, the 23d of May Ays 149 Nays 73. Virginia began their session on monday last, expectations from them are much in the same state as when you left us. The elections in this state turn out to be very antifederal, nearly 2 to 1. A resolution passed, two days since, that congress approve of Kentucky becoming an independent state, and that a committee be appointed to prepare an act by which it may be done, consistently with the articles of confederation. It is said this act must be recommending a new article of confederation. Perhaps it may quiet the folks till the new government takes us up. . . .

1. RC, Baldwin Collection, Yale University.

342. Henry Knox to Jeremiah Wadsworth
New York, 8 June 1788 (excerpt)¹

. . . The Carolina business will rejoice your heart. Now for Virginia—I do not know of any direct information from them. The convention were to meet on Monday last—in about a fortnight we shall know the complexion of the business. Reports are favorable.

This State are more than two to one of the delegates against the Constitution. If however Virginia should be favorable they may perhaps be influenced. Know you any thing about N Hampshire?

1. RC, Wadsworth Papers, Connecticut Historical Society.

343. Don Diego de Gardoqui to Conde de Floridablanca
New York, 9 June 1788 (excerpt)¹

. . . They are already traveling to Poghkeepsie where the Convention of New York is to meet, among whose voters is found the Minister Mr. Jay, whom the

population of this City named along with other able defenders of the New Government, but they fear with reason that not even their talents will be enough to obtain that which they desire. . . .

1. RC (Tr), Estado, Legajo 3886, Expediente 1, 1785–1796, Documentos Relativos a La Erección de Kentucke en Estado Independiente, Document 10, Archivo Histórico Nacional, Madrid. This was letter number 267. For additional excerpts from this letter, see Mfm:Va. 217.

**344. Thomas Jefferson to Charles William Frederick Dumas
Paris, 9 June 1788¹**

I have the honor of inclosing to you a state of such articles of intelligence as I received by the last packet which may be interesting in Europe. I stated them for the publisher of an English & american gazette printed here in English once a week, which begins & deserves to be read. if you think any of these articles worth inserting in the Layden gazette, you will be so good as to put them into the shape proper for that paper.—I have not thought it well to mention that in the fray at New York mr Jay and Baron Steuben were among those wounded by the stones of the mob. indeed the details of that affair must be still greatly abridged to bring it within the compass of the Layden gazette.

I write you none of the news of this country, because if I did you would probably not receive my letter. I shall therefore only add assurances of the esteem & attachment with which I have the honor to be

1. FC, Jefferson Papers, DLC.

345. Connecticut Courant, 9 June 1788¹

By the returns of Members of Convention for the State of New-York, it appears that a majority of Anti-federal Characters will compose that body.

1. Reprinted: *Providence Gazette*, 14 June; Northampton, Mass., *Hampshire Gazette*, 18 June; Connecticut *Norwich Packet*, 19 June.

**346. Abraham B. Bancker to Evert Bancker
Kingston, N.Y., 10 June 1788 (excerpt)¹**

. . . I have just wrote to my Landlady at Poughkeepsie to take Cous. Abm. to board during the Setting of the Convention, when please God the situation of my Family will admit of my Absence. . . .

1. RC, Bancker Family Correspondence, NHi.

347. Poughkeepsie Country Journal, 10 June 1788¹

A DIALOGUE between a Boston Federalist and a New-York Anti-Federalist, (just published for the author) and to be sold by the printer.

1. Reprinted: *Country Journal*, 1 July. A copy of this “A Dialogue” has not been located.

348. New York Journal, 12 June 1788

☞ The Editor has established a correspondence at Poughkeepsie, for the purpose of having the earliest Intelligence, from time to time, of the proceedings of the Hon. CONVENTION, expeditiously to communicate to his respective patrons.

**349. Continental Congress Committee Book
New York, 13 June 1788¹**

Secy. of Congress to take order to inform him he has leave to attend if he chuse—	}	Letter June 4th 1788. Mr. John Jay that he is elected Member of the state Convention of N York—
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1. MS, PCC, Item 190, List of Persons Nominated by Members of the Congress to Governmental Positions, p. 194.

**350. James Cogswell Diary
Scotland, Conn., 14 June 1788 (excerpt)¹**

. . . N. York have the Majority of antifederal members chosen to compose their Convention. . . .

1. MS, Connecticut Historical Society.

351. New York Daily Advertiser, 16 June 1788

By a gentleman of distinguished character, just arrived from New-Hampshire, we have received the very agreeable intelligence, that the Convention of that State, which meet on the 17th instant, will unquestionably adopt the New Constitution.—The gentleman who has favored us with this information, has had occasion to visit the interior parts of New-Hampshire, and those districts where the people were most opposed to the Constitution—These persons have had an opportunity, since the adjournment of their Convention, of receiving such light upon the subject, as fully evinces them of the necessity of its adoption.

While our latest accounts from Virginia are of the most flattering nature, an additional ray of satisfaction must burst forth and pervade the countenance of every friend to union and good government, on being informed that our prospects from New-Hampshire wear also the most flattering aspect.

**352. Variations of the Report found in the
New York Daily Advertiser, 16 June 1788 (excerpts)¹**

New York Journal, 16 June 1788²

On Saturday sailed for Poughkeepsie, the sloop _____ and _____ North, and _____ masters, in which vessels went passengers his Excellency the Governor, and a number of other members of the CONVENTION of this state,

which is to meet *to-morrow*, at Poughkeepsie—At their setting sail the wharves and battery swarmed with spectators, and, on the departure of the latter, thirteen guns were discharged.

Philadelphia Independent Gazetteer, 18 June 1788³

Saturday afternoon the members of convention for this city and county, embarked on board a sloop for Poughkeepsie, to meet the convention of this state, which assembles there to-morrow; at their embarkation they were saluted by two field pieces from the battery.

1. See RCS:N.Y., 2342, 2343n, for the original item.
2. Reprinted: *Providence Gazette*, 21 June.
3. Reprinted: Baltimore *Maryland Gazette*, 24 June; *Virginia Centinel*, 2 July.

**353. John Smith to William Smith
Poughkeepsie, 17 June 1788¹**

When in New York I spoke to Mr. Port respecting your Cattle he said he would go down in two or three weeks Respecting the other Matter I have inquired of Judge Hobart and some other Persons and do not learn anything that I suppose a real[?] objection by what I am able to find out he must be a Person of considerable property and a Man of great determination The Governor is chosen this day President of the Convention

1. RC, Museum, Manor of St. George, Center Moriches, Long Island, N.Y.

**354. Thomas White to Moses DeWitt
Deer Park, N.Y., 17 June 1788 (excerpt)¹**

. . . This Day the Convention meets at Poughkeepsie—'tis thought the Federalists will get the Day. . . .

1. RC, De Witt Papers, Syracuse University.

355. Massachusetts Salem Mercury, 17 June 1788

There appears to be a majority of about 6 or 8 antifederalists in the Convention of Newyork.

356. Nova Scotia Gazette, 17 June 1788

The State of South Carolina has acceded to the New Constitution; and Virginia, it is expected, will likewise adopt it. But from the numerous Anti federal characters which compose the New-York convention, it is thought that State will oppose its ratification.

357. George Clinton Account Book, c. 18 June 1788¹

Took in Pockett on Jaunt to Poughkeepsie. } 60-0-0

1. MS, Clinton Account Book, New York State Archives.

358. Sarah Jay to Matthew Ridley

Elizabeth Town, N.J., 18 June 1788 (excerpt)¹

. . . Yesterday was the day appointed for the meeting of the Convention of our State. I am not sanguine about what may be the result, as there are a great inequality in the numbers of the two parties, there being not less than forty members against, & only twenty for, the adoption of the new Constitution. . . .

1. RC, Ridley Papers, MHi.

359. Sarah Jay to John Jay

Elizabeth Town, N.J., 19 June 1788 (excerpt)¹

. . . The Pamphlet entitled an address to the inhabitants of New York &c. has been received in this State with great approbation, nor has the tribute of applause been withheld from the author that usually accompanies his writings; for tho' thro' modesty his name was conceal'd it seems the well-known style discovered him. . . .

1. RC, Jay-Iselin Collection, Columbia University.

360. John Pintard to Elisha Boudinot

New York, 19 June 1788 (excerpt)¹

. . . We are in anxious expectation of good news from Virginia & Hampshire, Our state it is tho't will most probably adjourn—by which means we shall inevitably lose Congress. . . .

1. RC, Boudinot-Pintard Papers, NHi.

361. New York Journal, 19 June 1788¹

We have not yet learned any thing important from New-Hampshire whose convention was to have met at Concord on Tuesday last, the same day as that of this state at Poughkeepsie.

1. Reprinted: Poughkeepsie *Country Journal*, 24 June, and in four Philadelphia newspapers by 25 June.

362. Robert Gilmor & Co. to Nicholas Low

Baltimore, Md., 20 June 1788 (excerpt)¹

. . . We are sorry to Observe you can only Count upon 19 for the Constitution. We shall be happy to find that you can Convince the Majority of their error & bring them Over,

Our Accounts from Virginia are Very Unfavorable, It is difficult to say on which Side the Majority Will be each Claims it, Yet if we might hazard an opinion founded on the best information we can collect, It will be on the Side for Adopting—Should it be Otherwise We apprehend the Worst of Consequences will follow. . . .

1. RC, Low Papers, DLC.

**363. Jonathan Trumbull, Jr., to George Washington
Lebanon, Conn., 20 June 1788 (excerpt)¹**

. . . Under these circumstances, can the State of N. York have hardiness eno' to refuse their Assent?—or will she consent to stand on the same Ground with our deluded Sister R Island. I would fain hope, that shameless Prostitute will not be able to find an Associate in her Sins & Follies. . . .

1. RC, Washington Papers, DLC. For another excerpt, see RCS:N.H., 349–50.

**364. Noah Webster Diary
Poughkeepsie, 20 June 1788¹**

proceed to Poughkeepsie—attend the debates in Convention—proceed to Peckes Mill—

1. MS, NN.

**365. Alexander Hamilton to Elizabeth Hamilton
Poughkeepsie, 21 June 1788¹**

I thank you My beloved for your letter by the Post. I have time only to tell you that I am well and to request to be remembered to your sister & to Mrs. Mitchell

1. RC, Hamilton-McLane Series Bertholf, DLC.

**366. Abraham Yates, Jr., to Abraham G. Lansing
23 June 1788 (excerpt)¹**

This I mean shall lay on my table to put down matters as they occur to me.

I have with me the Newspapers I prosecuted upon in expectation to speak to the Governour and Jones upon that subject but I did not find an opportunity and therefore Now Return them your Brother Sanders may prepare in the mean time a Declaration But before it is made a Record it will want more Consideration than at this Day can be aforded Either by myself or friends. I met Claxton (the printer) in the street 8 or 10 Days ago, who was very importuning that I should withdraw the suit or discharge him from it. I told him that I should by no means comment to withdraw it and to discharge him was not possible without distroying the suit—He then told me some publication would, he supposed, answer the end of a Verdict (here I suppose he meant a sort of recantation) I told him I supposed not—he said I would in the end find that the characters of those that

published were insignificant and were hardly worth my notice I answered that that might be, but they were the ostensible or tools only, if I see him again I shall continue the Conversation I tell him that I dont want to injure him no farther then is absolutely necessary to the prosecution of the suit but the real authors shall come forth tho it should prove his ruin (he complains that it has proved his ruin in some measure already that he has been obliged to hire himself to Loudon to work for my work) and ten more. . . .

1. Dft., Yates Papers, NN.

367. *New York Journal*, 23 June 1788¹

Extract of a letter from Poughkeepsie, dated June 18.

“Unanimity and harmony reigns among the anti-federalists in convention.—The promptitude with which they assembled, their concurrence in sentiment, and their determination to bend their force to the same point, are the happiest evidences thereof, and shut out the shadow of hope, in the federalists, of creating divisions.”

1. Reprints by 4 July: Pa. (3), Md. (1), Va. (1). This is a paragraph from a letter from James M. Hughes to John Lamb, 18 June (RCS:N.Y., 1202–1203).

368. *Boston Gazette*, 23 June 1788¹

We had the pleasure of first acquainting the public of the raising of the Eighth Federal Pillar:—and we now have the additional Satisfaction of being likewise the first to announce to the public the erection of

The Ninth Pillar.

Yesterday Noon Mr. Sampson Reed arrived in Town, from Concord in the State of New-Hampshire, and brought the following Letter from the Hon. John Sullivan, Esq. President of the Convention to His Excellency the Governour, dated,

CONCORD, June 21, 1788.

SIR,

I have the honor to inform your Excellency by favour of Mr. REED, who is obliging enough to forward this Letter, that the Convention of this State have this Moment adopted the New Constitution. Yeas, 57; Nays, 46. The Amendments recommended, nearly the same as in your State.

With every Sentiment of respectful Attachment, I have the Honour to be,

Your Excellency's most obedient Servant,

JOHN SULLIVAN.

His Excel'y Gov. HANCOCK.

We are informed, by Mr. Reed, that in consequence of the Adoption of the Federal System by the above state, the minority have declared (in a manner similar to the declaration of the minority of the late Convention of this state) their intention of using their influence that their constituents should rest easy under it.

1. See RCS:N.Y., 1219–20, note 15, for reprints.

**369. Abraham B. Bancker to Evert Bancker
Poughkeepsie, 24 June 1788 (excerpts)¹**

The Stage is fixing with which Mr. Tillinghurst goes . . . New Hampshire have adopted the Constitution—Our State I Expect will present a Number of Amendments Excuse my hurry for fear of my missing the Chance I Conclude with Sincere Love & Affection . . .

1. RC, Bancker Family Correspondence, NHi.

**370. Sarah Jay to John Jay
Elizabeth Town, N.J., 25 June, 1 July 1788 (no excerpt)¹**

. . . [P.S.] I have just heard that New Hampshire has adopted the proposed Constitution & Congratulate you upon it. I wish it may prove a stimulous to your Convention & should rejoice still more were they to anticipate Virginia. . . .

1. RC, Jay-Iselin Collection, Columbia University.

371. New York Journal, 25 June 1788

Some particulars from Poughkeepsie, which could not be prepared for this day's paper, will appear to-morrow.

372. Winchester Virginia Gazette, 25 June 1788

The Convention of the State of New-York met yesterday week. No accounts of so late a date have been received from that quarter.

373 A–B. North Carolina Wilmington Centinel, 25 June, 2 July 1788

In these two issues the *Wilmington Centinel* reprinted some of the results from the election of delegates to the New York Convention.

373-A. 25 June

- ◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

373-B. 2 July

- ◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

**374. Eilardus Westerlo Memoirs
Albany, 26 June 1788¹**

This morning I heard that N. Hampshire has adopted the Constitution—Which now is ratified by as many states as are required to unite Into one Republic—may the Lord—bless that Union. & incline the other states also to accede & thereby peace be preserved & A solid foundation be laid for present & future

Happiness to this our Land both for Church & State! Fair would be found Observing the Ways of providence. I join with all those, who, acknowledging the Lord In all their Ways. oh may my congregation & family also be [- - -] & [- - -] be kept & preserved from sin & [- - -]. The Lord restore precious health & [strength as?] for Every passing Day—pardoning our innumerable sins & shortcomings for the sake of Jesus Christ His son our Lord. Amen

1. MS, Westerlo Family Papers, Albany Institute of History and Art Library, Albany, N.Y.

375. Pennsylvania Packet, 26 June 1788

Our latest accounts from Poughkeepsie are dated the 21st instant. The convention was then discussing the second section of the constitution, relative to the house of representatives.

376. John Jay to John Vaughan Poughkeepsie, 27 June 1788¹

I have considered the Hint suggested in your Letter of the very long, and I may say habitual Respect for the Sentiments of Dr. Franklin, at first inclined me adopt them relative to the Subject in Question. Further Consideration induced me to suspect that he has estimated the Influence of my opinions beyond there value. If the Reasoning in the Pamphlet you allude to is just, it will have its Effect on candid and discerning minds—if weak & inconclusive my name cannot render it otherwise.

Our Convention has hitherto proceeded with Temper and Deliberation. The Issue is uncertain, and probable conjectures respecting it, cannot yet be formed—

1. RC, Madeira-Vaughan Collection, American Philosophical Society.

377. Elizabeth Verplanck to William Samuel Johnson Fish Kills, N.Y., 27 June 1788 (excerpts)¹

Hond. Sir

I hope before this you have heard from Mrs. Verplanck of our safe arrival at Mount Gulian on Sunday morning, where we soon had the pleasure of welcoming brother Charles, who is much pleased with the manner of his passing his time at Poughkeepsie, and thinks if he improved the opportunity rightly he may gain both knowledge and amusement from it. . . .

. . . Charles rode out here yesterday with a number of Gentlemen who came to see their old acquaintance Mr. S. Verplanck but returned again this morning. Mr. V again accompanied Charles on his return to Poughkeepsie, it is fortunately so short a ride that he can have the advantage of hearing most of the Debates of the Convention. . . .

1. RC, Johnson Papers, Connecticut Historical Society.

378. New York Packet, 27 June 1788¹

NINTH PILLAR.

On Wednesday last an express arrived in this City, in *ten hours* from Poughkeepsie, with the very interesting intelligence of the RATIFICATION of the NEW CONSTITUTION, by the Convention of the State of New-Hampshire.

At Poughkeepsie, this information was received, by express, and under the signature of His Excellency John Langdon, President of the State of New-Hampshire. The Convention of that State ratified the Constitution on the 21st inst.—Yeas 57, Nays 46—Majority *eleven*.

This letter was read in presence of the *United States in Congress assembled*, at half past twelve—And at one of the clock, Col. Henley sat off express for Virginia, with the agreeable and important intelligence.

The Citizens of this Metropolis on the same day testified their foederalism, not only by the visible marks of satisfaction in almost every countenance, but by the ringing of the bells of the respective Churches, and a discharge of cannon, attended by repeated huzzas from a large concourse of Citizens.

We are informed, that a number of the tradesmen and mechanics of this city, are preparing for a GRAND PROCESSION, in consequence of the adoption of the Federal Constitution by nine States. Several crafts have their standards already painted, decorated with the insignias of their respective professions. The block makers, we are told, have theirs finished in a neat manner, and that of the sail makers is elegantly executed. It is to be wished, that the procession may be general; and that the NOBLE ART of TYPOGRAPHY may not be the last in the FEDERAL TRAIN.

1. Reprinted: New York *Impartial Gazetteer* and New York *Independent Journal*, 28 June; *Hudson Weekly Gazette*, 8 July; and in six out-of-state newspapers by 24 July, Mass. (1), Conn. (1), Pa. (3), S.C. (1). The first four paragraphs are similar to those that appeared in the *New York Journal*, 26 June (RCS:N.Y., 1213).

**379. Phineas Bond to Lord Carmarthen
Philadelphia, 28 June 1788 (excerpt)¹**

. . . It is at this moment very uncertain, my Lord, whether Virginia and New York will adopt the new Constitution:—the Conventions of both these States are now sitting—it is presumed the majority of the former, tho', but very small, will be in favor of the Adoption—but the Members returned to the Convention of the latter, are chiefly against the new Government: It is hoped, however, the Proceedings of New Hampshire may have some Effect to influence the Conduct of Virginia & New York:—at any Rate, my Lord, in the present Circumstances of this Country, it will require no short Period of Time to organize *any* Form of Constitution, which has for its' Object, the Government of such an Extent of Territory—where so many clashing Interests & local Prejudices prevail. . . .

1. RC, Foreign Office, Class 4 (America, Series I), Vol. 6, ff. 199–200, Public Record Office, London.

380. Kentucky Gazette, 28 June 1788

Extracts of a letter dated New York, May 20, to a Gentleman in this town.

The Ohio company are going on with spirit, five hundred families will be settled at Murkingum before September; you are well acquainted with this purchase, which consists of one Million of acres.

Sergeant Cutler and others, under the firm of the Scioto Company, have purchased five million of acres joining the Scioto and Ohio rivers—Judge Simms has contracted for two millions between the Miami rivers, and is pushing hard, but it is doubtful whether he will compleat his contract.—A contract has been made in this City, in which Decer and Armstrong are concerned, for three or four millions on the Illinois river; but the success of this project, will depend is on Europe[a]n aid.—Col's. F. Cox G. Morgan and others, have proposed to purchase two Millions, adjacent to the Kaskaskies country, but Congress have refused this offer, until the inhabitants are consulted; and tis said, that in future no sales of land will be made, but for the ready Rino. A large company in Massachusetts of which Mr. Gorham is the principal, have purchased five or six millions north of Pennsylvania, land formerly belonging to New York, but ceded to Massachusetts, and bounded by Pennsylvania, New York, and lakes Erie and Ontario.—Pennsylvania as a State, is about to purchase the soil of a large triangular tract, bordering on lake Erie, her object is to secure an extensive margin of the lake. Connecticut is endeavouring to sell the large tract of country ceded to her by Congress, between the 41st and 42nd degrees of latitude west of Pennsylvania, bordering on lake Erie, and 120 miles from East to West; You see how our speculations tend westwardly.

I understand Congress have not yet determined on your memorial, but cannot conceive that their decision, will be very interesting to you, you have sprung from infancy to manhood, as it were in a day and have become too powerful to suffer any controul, oppressive to your happiness

Altho a large majority of the Convention of this State, which meets after Virginia, are opposed to the new government, yet I do believe the example of Virginia, will influence our determination.—we hourly expect the decision of S. Carolina, upon the whole I think the new government will be adopted.

**381. Richard Carson to Horatio Gates
Baltimore, Md., 30 June 1788 (excerpt)¹**

. . . The News of the Virga. Convention reached us on Saturday Afternoon; Goddard has been made acquainted of this Opportunity.—A Letter from my Mr Seton by Saturdays Post tells me, Mr. Tillotson is now at New York: No news of the Convention there, than Govr Clinton is President.—

1. RC, Gates Papers, NHi.

**382. William Pynchon Diary
Salem, Mass., 30 June 1788¹**

Monday. Rain. The Club at Dr. Plummer's in the evening; J. Jackson there. Things look gloomy at Virginia and New York as to [the] Federal Constitution.

1. MS, Pynchon Papers, MHi.

383. Litchfield, Conn., Weekly Monitor, 30 June 1788

We learn from Pougkeepsie, that his Excellency Governour Clinton is appointed President of the Convention of this state. And that Mr. Lansing, Mr. Jones, Mr. Harding, Mr. Duane, and Mr. Richard Morris, were chosen a committee to prepare rules for their government, as a deliberative assembly.

384. Charleston, S.C., City Gazette, 30 June 1788¹

In a return published in the New-York papers, fifty seven members of the convention for that state, are returned anti-federalists, and only nineteen as federal.

1. Reprinted: *Gazette of the State of Georgia*, 17 July; *Georgia State Gazette*, 26 July.

**385. Abraham B. Bancker to Evert Bancker
Poughkeepsie, 1 July 1788 (excerpt)¹**

. . . I am now to Acknowledge the receipt of yours of the 19th. of June which I found at my House Saturday Evening and Observe its contents. Nothing material has transpired here since Saturday, the Convention being still busy in Debating the Amendment proposed to the first Paragraph of the eighth Section first Article and which I Expect will be continued at least through this day yet there is no forming any Judgment when the Convention will be ready to rise. . . .

1. RC, Bancker Papers, NHi.

**386. Theodore Sedgwick to Benjamin Lincoln
Springfield, Mass., 1 July 1788 (excerpt)¹**

. . . There is nothing decisive from N. York, the convention there was staggered by the information of the ratification by N Hampshire. . . .

1. RC, Lincoln Papers, MHi.

387. Poughkeepsie Country Journal, 1 July 1788

It is believed, that the intelligence of the accession of New-Hampshire to the Constitution, will occasion a considerable majority on the federal side.

**388. Pieter Johann Van Berckel to the Estates General
New York, 2 July 1788 (excerpt)¹**

Today a week ago the message arrived with the express that the State of New-hampshire had passed the new Constitution, and this morning at four o'clock another express arrived from Virginia, stating that that state also adopted it, after which all the bells of the city were rung, and the cannons fired, while other similar signs of joy also took place. Thus at the moment there are ten states, which have accepted this new plan of government, in which, however, many of them have proposed amendments and changes, which cannot be brought in discussion before the new Congress is organized and functioning, to which end the necessary steps will undoubtedly be taken very soon.

The Convention of the State of New York is currently in session, and it is expected that its decision will be made within eight days, so that this important point of the new government for these 13 States will be settled in the course of this month, and be concluded, of which I will not fail to inform you at once.

Congress is still working to bring the finances on an ordered and solid basis, and to settle and close the accounts of the particular States. That body has for some time been in quite full session, and one hopes that soon all 13 States will be represented, which has not happened for many years.

Because of the hostile disposition of the Indians, the news from Georgia and the frontiers is still very unfavorable, but it is hoped that when the new Constitution will be put into operation, all similar hostilities will cease, and that peace, prosperity, and good order will prevail. . . .

1. RC (Tr), Staten-General, Liassen No. 7130, America, 1782–1788, Algemeen Rijks-archief, The Hague, The Netherlands.

**389. From Levi Hollingsworth
Philadelphia, 2 July 1788 (excerpts)¹**

Dear George

. . . I also send you our General price Current which may be of Use to you, with our last News papers by which you will see that 10 States have ratified the new Constitution & we hourly expect New York now in Convention will follow the example of the several Conventions that have preceded her Your friends in Baltimore are all well Zeba. was in this City the other Day . . .

I am your affectionate Uncle . . .

1. FC, Hollingsworth Letterbook, 1786–1791, PHi.

**390. John Templeton to Lord Carmarthen
New York, 2–3 July 1788 (excerpts)¹**

Inclosed is duplicate of the Letter I had the honor of writing to your Lordship, by the Antelope Packet, on the 4th. of last Month; since which, the States of New Hampshire and South Carolina, have ratified the proposed new Constitu-

tion. Virginia and New York are now deliberating in Convention upon the Matter, & very doubtful it still remains what their determination may be, as the parties seem to be very near equal in Number, but as *Nine States* have already adopted the said Constitution, it *must*, according to the tenor of it, be carried into Execution; even if Virginia, New York, Rhode Island and North Carolina shd. reject it. . . .

[P.S.] July the 3d.

last night, after I had finished my Letter, an Express arrived, from Virginia with an Account, that, that State had also adopted the New Constitution!

1. RC, Foreign Office, Class 4, America, Vol. 6, ff. 201–202, Public Record Office, London. This was Despatch No. 33.

**391. To James Wilkinson
Philadelphia, 2 July 1788 (excerpt)¹**

Since my last Newhampshire has adopted the New Constitution and Virginia has also done the same but as many of the States have recommended Amendments I think they will take place—The Convention of New York are now sitting & their determination tis supposed will be against unless the decision of Virginia should influence them to an Adoption which many expect. . . .

1. RC, Wilkinson Papers, Missouri Historical Society.

392. Supplement to the New York Independent Journal, 2 July 1788

- ◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

**393. Broadside Printed by Nicholas Power
Poughkeepsie, 2 July 1788**

- ◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

**394. Ezra Stiles Diary
New Haven, Conn., 3–4 July 1788¹**

Early this Morng at break o' Day we were awaked with the Ringing of Bells announcing the Accession of Virginia the Xth State to the new fœderal Constitution. The Express from Congress for Boston left N York yesterdy Morng at VIIh. and arrived here a little after Midnight and left N Haven for Hartfd at IVh. 15' mins. I saw him. He shewed me Letters from Congress. The Virginia Convention at Richmond put the Question on Wednesday the 25th of June ten Majority. The Hampshire News & this met at Alexandria in Virgini last Saturdy, where the Expresses dined with Geñ Washington. The news arrived in N York July 2d

at Ith Mans. Congress dispatched instantly to the Convention at Poukeepsy. Mr Peas the Express this Way intends to reach Boston tomorrow by Two O Clock P.M. to elevate the Rejoycings at the Anniversity of Independence. We shall rejoyce to morrow. I gave an Enl. Hist. Lect. or Chronol[og]y. Begin[in]g a new Course 4 [July] Anniversity celebrated in New Haven. A Procession formed at the Long Wharf of a Co[m]ixture of all Descriptions, accordg to the Idea conceived at Boston at their Rejoycing last Winter. A Sower headed the Procession succeeded by 3 P. of Oxen & one holdg a Plow; then Reapers, Rakers, Shoemakers, Sadlers, Cabinet Makers, Blacksmiths, Goldsmiths &c. then a Whale Boat manned & rowg, a federal Ship, Capt & Sailors, Citizens, Merchts, Scholars of the several Schools, Masters, Tutors of the College, 7 Ministers, City Sheriffs, High Sherriff, Co[m]on Council Men, Aldermen, Mayor Mr Sherman, the Co[m]ittee of the Day & Orator. The Procession moved at Eleven o'Clock, & march thro' State street up as high as Elm street, thro' that to [— — —] street then round thro' Chapel Street, by the College onto the Green—the Head reached round the Green to the Brick Meetgthouse Door when the other End was at the College or a Length of about an hundred or 120 Rods. The whole March was near one mile & three Quarters. Entered the Meet[in]gh[ouse] at Noon or XI.59. Exercises.

XIh.59'. AM. Entered—Anthem singing

XII.2. Salute by discharge of XIII. Canon in a Park around Liberty Pole, the foederal Flag flying.

XII.9. Declaration of Indepeñ. 1776. Read by Mr Meigs.

20. Hymn 67th. Watts.sung

XII.26 to XII 54' Prayer by Dr Wales

55 singing 21 Psalm

I.6. to I.39. Oration by Mr Baldwin

Contribution for the poor

I.47 Federal Hymn composed by Tutor Bidwell

I.56. Blessing by myself. Thus the Exercises continued about two Hours in the Meetgthouse.

We then broke up & went to the State House, where about 150 Gentlemen dined together & drank 13 Toasts under the Discharge of Canon. At the fourth Toast which was Gen. Washington, the Ministers retired and smoked a pipe in the Council Chamber. Reverend Messrs. Street, Dana[,] Trumbull, Edwds, Wales, Austin, & myself were present. Afterwds the Ministers walked & drank Tea at my House.

1. MS, Stiles Papers, Yale University.

395. Stephen Van Rensselaer to John B. Schuyler Albany, 3 July 1788 (excerpt)¹

Virginia has ratified the Constitution on the 25 ul[timo] by a majority of ten I congratulate you the Federalists are firing & the bells a ringing in town . . .

1. RC, Stephen Van Rensselaer Folder, 1787–1788, NHi. The letter is docketted: "Stephen V. Rensselaer/Albany July 3. 88."

396. New York Daily Advertiser, 3 July 1788

Those who delight in havock may expect speedily to be gratified in their wishes.—Besides the near approach towards each other, of the Turks and Imperialists, we learn, by the papers from Europe that the Russian fleet, of 26 sail of the line, 13 frigates, and 248 transports, having on board 43,800 seamen and land forces, has sailed for the Mediterranean—and that the Spanish fleet was, at the date of our accounts, then cruising off the Straits to intercept it. Our national government being now established, may we not expect, ere long, to profit by the commotions in the old world?

**397. Mason F. Cogswell to James Cogswell
New York, 4 July 1788 (excerpt)¹**

Dear & Hond Sir,

While almost every one in the city is busy in celebrating the thirteenth Anniversary of American Independence, I retire from the active crowd and instead of eating and drinking and singing and attending to the noise of cannon and musketry, I seek myself in my shop to converse for a few moments with a Parent whose single approbation I should prefer to all the applause which is in their power to bestow. We have had much music today, of cannon, musketry, drums and fifes, with a variety of other instruments “of war-like sound” and a great number of troops in uniform performing the different military manoeuvres usual on such occasions. All this was animating. But still the real satisfaction was far inferior to what I have just now enjoyed in re-perusing your affectionate epistle which I received but a few days since. . . .

1. Printed: Grace Cogswell Root, ed., *Father and Daughter: A Collection of Cogswell Family Letters and Diaries (1772–1830)* (West Hartford, Conn., 1924), 20.

**398. Arthur Lee to John Adams
New York, 4 July 1788¹**

Give me leave to congratulate you on your happy arrival in your native Country; & on the respectable reception that has attended it. I beg the favor of you to present my congratulations on the same account to Mrs Adams.

Tho I am not an Admirer of the new Constitution, yet as you approve of it & as a great many wise & good men expect much honor & advantage to our Country from the adoption of it, I congratulate you also on the accession of Virginia to its adoption.

Our latest Accounts from the Convention of this State inform us that notwithstanding the ratification of Virginia a great majority continues firm against adoptn. The Packet from England, arrivd yesterday, but I do not hear She brought any thing new.

1. RC, Adams Papers, MHi.

399. Noah Webster Diary
New York, 4 July 1788¹

Mr Duer speaks an oration Public rejoicings to celebrate the memorable anniversary of Independence—

1. MS, NN.

400. New York Packet, 4 July 1788¹

By Express from Virginia, arrived on last Tuesday night, we received *intelligence* of the ratification of the New-Constitution, by the State of Virginia, since which, we have received the *ratification* by post. On Wednesday morning the bells of this city were rung at day break, cannon were discharged, and every demonstration of joy exhibited, which the importance of the occasion required.

1. This paragraph follows the paragraphs from the *Packet* printed in RCS:N.Y., 1285–86.

401 A–G. Fourth of July Celebrations, 1788

401-A. Eilardus Westerlo Memoirs
Albany, 4 July¹

yesterday the News arrived of Virginia having also adopted the Constitution by a Majority of Ten & the federalists were rejoiced & shew that Joy by the firing of Canons and the ringing of Bells; This morning the Citiz[en]ry celebrate the Anniversary of the Independency—and being by bodily indisposition prevented from attending the procession—I woud humbly pray, that no misfortune nor further discord may happen among the people—but all things be done peaceably & orderly & We yet sing of the Way of the Lord as the God of Love & peace—I desire to acquiesce of all the Ways of the Lord & to rejoice that the Lord ruleth, oh may His Kingdom come Amen

1. MS, Westerlo Family Papers, Albany Institute of History and Art Library, Albany, N.Y.

401-B. New York Daily Advertiser, 5 July

Yesterday being the anniversary of the INDEPENDENCE of the UNITED STATES OF AMERICA, the morning was ushered in by the firing of cannon, ringing of bells, and other demonstrations of joy. Agreeable to general orders, the Grenadiers, Light Infantry and Artillery of the City Militia were reviewed on the Fields, and went through several military manœuvres with great alertness and precision. Their firings were regular and well conducted, such as would not have disgraced veteran troops.

At ten o'clock, A. M. the Society of the Cincinnati assembled at the City Hall, and appointed the following officers for the ensuing year.

President of the Society. Major General Baron Steuben.

Vice President. Colonel Alexander Hamilton.

Treasurer. Colonel Richard Platt.

Assistant Treasurer. Captain Edward Dunscomb.

Secretary. Captain John Stagg, jun.

Delegates to the General Society. Major General Baron Steuben, Brigadier General Samuel B. Webb, Colonel William S. Smith, Colonel Brockholst Livingston, Brigadier General Matthew Clarkson.

The President and Vice-President being absent, Major General [Henry] Knox was elected Chairman for the day.

At one o'clock the Society moved in procession from the City Hall to St. Paul's Church, where an innumerable concourse of citizens were assembled to be auditors of a most excellent ORATION, which was delivered by WILLIAM DUER, Esq. a member of the Society, in that pleasing, graceful, and energetic manner, for which this gentleman is so eminently distinguished.

The Society afterwards moved in procession to the residence of the President of Congress, where they paid the compliments of the day to his Excellency, and then returned to the city tavern, where an elegant entertainment was provided by Mr. Bardin. The following toasts were drank in honor of the day.

1. The United States.
2. The States which have ratified the New Constitution.
3. His Most Christian Majesty.
4. The State of New-York.
5. Our Brethren of the Cincinnati.
6. Baron Steuben, the President of the Society.
7. The memory of all who have fallen in defence of American Liberty.
8. The fair friends of the Cincinnati.
9. General Washington, President General of the Society of the Cincinnati.
10. Wisdom to our Convention; and may they pursue the true interests of our country.
11. The 17th of October, 1777.
12. The 19th of October, 1781.
13. The DAY.

The Society broke up at eight o'clock in the evening, after spending the day in that conviviality, harmony, and brotherly affection, which so peculiarly characterises this class of our fellow citizens.

In the evening, a brilliant display of rockets was exhibited on Long-Island opposite the City, which had a very pleasing effect.

A transparent painting of his Excellency General Washington was also exhibited in the evening, executed by Mr. Wright in a masterly manner.

*401-C. New York Daily Packet, 8 July*¹

Friday the 4th of July, being the anniversary of American Independence, was ushered in by the ringing of bells. At 10 o'clock there was a parade of the Light-Horse, Artillery and uniformed Infantry. The whole commanded by Colonel M. Lewis.

At 12 o'clock, the Corporation waited upon the President of Congress; to whom the Recorder made a handsome speech upon the subject of the day—

the blessings we are likely to enjoy under the new Constitution, and concluded with contemplating the personal virtues of the President. To which the President answered in the name of the United States, and thanked the Corporation and Recorder, for their very polite civility to him.—Thirteen guns were fired from the Battery.—At one o'clock the Cincinnati, with a band of music, and well escorted, proceeded from the City-Hall to St. Paul's Church; where a very crowded audience was addressed by WILLIAM DUER, Esq. in a manly and most elegant Oration. Then under the same escort, the Cincinnati proceeded to the house of His Excellency the President of Congress, and congratulated him upon the happy occasion—where a handsome collation was provided for the foreign Ministers, the Corporation, the Cincinnati, the Consuls, Militia, Artillery, strangers and other persons.—Three toasts were drank of a public nature.—1st the United States, with a discharge of 13 cannon.—2d the Federal Constitution for the United States of America, with a discharge of 10 cannon.—3d the State of New-York, with a discharge of 3 cannon. From whence the Cincinnati proceeded to the City Tavern, and the society partook of an elegant entertainment, and drank 13 patriotic toasts.* Towards night 13 guns from the Battery closed the festival of the day. In the evening a brilliant assembly of the Fair honored the President and his Lady with their company, where tea, coffee, ices, lemonades, &c. were provided for their refreshment.

By the President's orders, all the remains of a plentiful entertainment were immediately distributed among the poor.

**The toasts of the Cincinnati are as follow;*

1. The United States.
2. The States which have ratified the new Constitution.
3. His Most Christian Majesty.
4. The State of New-York.
5. Our brethren of the Cincinnati.
6. Baron Steuben, the President of the Society.
7. The memory of all who have fallen in defence of American Liberty.
8. The fair friends of the Cincinnati.
9. General Washington, President General of the Society of the Cincinnati.
10. Wisdom to our Convention; and may they pursue the true interests of our country.
11. The 17th of October, 1777.
12. The 19th of October, 1781.
13. The DAY.

The society broke up at eight o'clock in the evening, after spending the day in that conviviality, harmony and brotherly affection, which so peculiarly characterises this class of our fellow citizens.

The Society of the Cincinnati assembled at the City Hall, and appointed the following officers for the ensuing year.

President of the Society. Major General Baron Steuben.

Vice-President. Col. Alexander Hamilton.

Treasurer. Col. Richard Platt.

Assistant Treasurer. Captain Edward Dunscomb.

Secretary. Capt. John Stagg. jun.

Delegates to the General Society. Major General Baron Steuben, Brigadier General Samuel B. Webb, Col. William S. Smith, Col. Brockholst Livingston, Brigadier Gen. Matthew Clarkson,

The President and Vice-President being absent, Major General Knox was elected Chairman for the day.

In the evening, a brilliant display of rockets was exhibited on Long-Island opposite the city, which had a very pleasing effect.

A transparent painting of his Excellency General Washington was also exhibited in the evening, executed by Mr. Wright in a masterly manner.

Those officers of Gen. Malcom's brigade, and the corps of artillery (who are not members of the Cincinnati) partook of an elegant repast, at Beekman's-hall, in Cortlandt-street;—at this festival the following toasts were given:—

1. The Day, and all who honour it.
2. The United States.
3. The Commander in Chief and the State.
4. The King and Royal Family of France.
5. Our European Allies.
6. General Washington, and the late American Army.
7. Count Rochambeau, and the army who fought under his command for the Liberties of America.
8. The Memory of all the faithful and brave Sons of Columbia, who have fallen in support of the Independence which we this day celebrate.
9. The Convention of this State.
10. Our Ministers at Foreign Courts.
11. The Plough and Sail.
12. Perpetual Peace and Prosperity.
13. The Militia of the State.

We are informed, that the Cincinnati sent a deputation to congratulate the company at Beekman's, upon this auspicious occasion, which was returned with equal warmth:—This deputation gave rise to another toast, which was, "The Society of the Cincinnati."

1. Reprinted: *Pennsylvania Packet*, 12 July.

401-D. Poughkeepsie Country Journal, 8 July

Friday, at New-York, the anniversary of the American INDEPENDENCE was commenced by ringing of bells; and, agreeably to previous arrangements, there was a parade of the light horse, artillery, and uniformed infantry, the whole commanded by Col. Lewis, at 6 o'clock in the morning. At 12h. the corporation waited upon the president of Congress, to whom the recorder made a polite speech, which was replied to by the president. At this hour 13 guns were fired from the battery. At one o'clock the honorable society of the Cincinnati, with Col. DUER, the orator of the day, escorted by the corps of artillery, proceeded from the City-Hall, to St. Paul's Church, where a large concourse of all ranks and degrees had assembled. Here the auditory was addressed by the honorable

Orator, after a long exordium, in strains we attempt not to describe. As the DECLARATION of AMERICAN INDEPENDENCE was the glorious event to be *commemorated* on this occasion, no one will doubt, but that the *abilities*, the acquired *rhetorical proficiency*, and the *oratorical ingenuity* of Col. DUER, were sufficient amply to *grace the theme*.

After the oration was over, the honorable society of the Cincinnati, under the same escort, proceeded to the mansion of his excellency the president of Congress, who was congratulated on the joyous occasion, and a salute of 13 guns fired in honor of the day. Here an elegant collation was provided for the foreign ministers, the corporation, the cincinnati, the militia, the artillery, and all sorts of persons.

From hence the procession moved down Queen-street, and up Wall street, to the City-tavern in Broad-way, where the militia were dismissed, and the Society of the Cincinnati partook of an elegant entertainment, where the following toasts were drank:

1. The United States.
2. The states which have ratified the new Constitution,
3. His Most Christian Majesty.
4. The state of New-York,
5. Our brethren of the Cincinnati.
6. Major-General Baron Steuben, President of the Society.*
7. The memory of all who have fallen in defence of American liberty.
8. The fair friends of the Cincinnati.
9. General Washington, President General of the Society of the Cincinnati.
10. Wisdom to our Convention, and may they pursue the true interest of our country.
11. The 7th of October, 1777.
12. The 19th of October, 1781.
13. The Day.

**The President and Vice-President being absent, General Knox was placed in the chair.*

A this annual meeting of the Cincinnati, the following appointments took place:—

President, Major-General Baron Steuben.
 Vice-President, Col. Alex. Hamilton.
 Treasurer, Capt. Richard Platt.
 Assistant Treasurer, Capt. Ed. Dunscomb.
 Secretary, Capt. John Stagg, jun.

Delegates to the General Society.

Major-General Baron Steuben,
 Brigadier-General Samuel B. Webb.
 Colonel William S. Smith,
 Col. Brockholst Livingston,
 Brigadier-General Mathew Clarkson.

Those officers of the brigade, & corps of artillery (who are not members of the Cincinnati) partook of a sumptuous repast, at Beekman's hall, in Cortlandt-street; at this festival the following toasts were given:

1. The day and all who honor it.
2. The United States.
3. The Commander in Chief, and the State.
4. The King and Royal Family of France.
5. Our European Allies.
6. General Washington, and the late American army.
7. Count Rochambeau, and the army who fought under his command for the liberties of America.
8. The memory of all the faithful & brave sons of Columbia, who have fallen in support of the independence which we this day celebrate.
9. The Convention of this State.
10. Our Ministers at foreign Courts.
11. The *Plough* and *Sail*.
12. Perpetual peace and prosperity.
13. The militia of this State.

We are informed that the Cincinnati sent a deputation to congratulate the company at Beekman's, upon this auspicious occasion, which was returned with equal warmth. This deputation gave rise to another toast, which was, "The Society of the Cincinnati."

*401-E. Poughkeepsie Country Journal, 8 July*¹

Friday last, being the Anniversary of the Independence of the United States, a number of respectable inhabitants of this place [i.e., Poughkeepsie], and others, having met together to celebrate the day, at 12 o'clock Thirteen Cannon were fired by a part of Capt. Livingston's company of Artillery, who appeared in uniform for that purpose; and at 3 o'clock P. M. an elegant Dinner was prepared, when a general invitation was given to the Honorable Members of Convention, and those gentlemen whose curiosity led them to attend to hear their debates, &c. After dinner the following Toasts were drank, with a discharge of Thirteen Cannon:

1. The United States.
2. The Congress.
3. The Allies of America.
4. The Governor and State of New-York.
5. General Washington
6. The Convention; wisdom and unanimity in their councils.
7. The memory of the departed patriots of America.
8. Science, Agriculture, Commerce, and Manufactures.
9. Public Faith, and private Credit.
10. A Federal Government, uniting Energy with Liberty.
11. Happiness at home, and Respectability abroad.
12. The American FAIR.
13. The DAY.

It gives us pleasure to inform our readers that on this joyful occasion, the utmost harmony and decorum was observed among all ranks—and the day concluded with a pleasing satisfaction to all present.

1. Reprinted: *New York Packet*, 11 July.

401-F. *Massachusetts Gazette*, 11 July

Celebration of American Independence, *At NEW-YORK.*

The morning was ushered in by the firing of cannon, ringing of bells, and other demonstrations of joy. Agreeable to general orders, the Grenadiers, Light Infantry and Artillery of the City Militia were reviewed on the fields, and went through several military manœuvres with great alertness and precision. Their firings were regular and well conducted, such as would not have disgraced veteran troops.

In the evening, a brilliant display of rockets was exhibited on Long-Island, opposite the city, which had a very pleasing effect.

A transparent printing of his Excellency General Washington was also exhibited in the evening, executed by Mr. Wright in a masterly manner.

Among the toasts drank at the entertainment, were the following:

The day we now commemorate. May our latest posterity have cause to bless it.

The New Constitution—May the year, month, and day in which it was formed, and the illustrious members who subscribed it, be ever held in grateful remembrance by every true American.

The dignity of the people—May every American be a good man, and every good man a Federalist.

May continual disappointment and never dying remorse, pain, poverty and contempt, ever attend those antifederalists who, through motives of interest, stand opposed to a government, formed for the good of their country.

The American fair—May their sentiments be in favour of the Federal Government, and may they discard from their esteem the man who oppose it.

May the United States, cemented by the New Constitution, rise beautiful as a Phœnix from the ashes of contempt; and may Commerce, in all its branches, flourish unrestricted under its auspices, as long as America has a name amongst the nations.

401-G. *New York Morning Post*, 11 August

A SONG,

For the Anniversary of American Independence, on the supposed Ratification of the Fœderal Constitution.

To the Tune of "Rule Britannia."

Ye Friends to this auspicious day!

Come join the Fœd'ral festive board,

Columbia's Genius points the way,

To reap the Patriot's great reward.

Hail Columbia! Columbia's genius hail!

Freedom ever shall prevail.

No more shall Envy blast our fame,
 Or Jealousy our hearts divide,
 The Fœd'ral Band may now proclaim,
 The knot indissolubly ty'd.
 Hail Columbia! &c.

No more shall Discord cloud the day,
 That gave to Independence breath,
 Henceforth we'll drive the fiend away,
 And drown Old Care in Wine and Mirth.
 Hail Columbia! &c.

Now Liberty, by Heav'ns command,
 Returns to bless Columbia's shore,
 Well pleas'd she views the happy land,
 And cries—I wander now no more.
 Hail Columbia! &c.

In this my last asylum blest,
 Columbia shall my empire own,
 The Cincinnati stand confest,
 The faithful Guardians of my throne.
 Hail Columbia! &c.

Ye Fair who grace Columbia's plains!
 To you my sons shall homage pay,
 And tho' they spurn a tyrant's chains,
 Shall bow to beauty's sov'reign sway.
 Hail Columbia! &c.

On this bright dawn of halcyon days,
 Let Fœd'ral friends in concert join,
 To pour—while they the flask can raise—
 Libations to the God of Wine.
 Hail Columbia! Columbia's genius hail!
 Freedom ever shall prevail.

**402. James Cogswell, Jr., to James Cogswell, Sr.
 New York, 5 July 1788 (excerpt)¹**

. . . I congratulate you on the great & interesting events that have taken place since I saw you, the adoption of the Constitution by New Hampshire & Virginia. The Convention of this State are now sitting. What they will do is uncertain. We hope the news from Virginia will have some influence. In my next I shall be able to inform you.

1. RC, Cogswell Family, Yale University.

403. Peter Collin to Nicholas Low
New York, 5 July 1788 (excerpt)¹

. . . The Daily Advertiser for this day which goes enclosed will give you the particulars of the proceedings how yesterday's [procession?] on Mr. Hoffman with your Compliments, [- - -] [- - -], and says he will have the pleasure to pay you a visit at Feoderal Hall if possible.

1. RC, Low Papers, NH.

404. William Samuel Johnson to Samuel William Johnson
New York, 5 July 1788 (excerpt)¹

. . . As to public affairs, I will only mention, that N Hampshire and Virginia (10. States) having adopted the New Constitution, we are in great Joy here, the Government will soon be organized & put in operation. It is yet doubtful whether this State will accede to it, if not, it will proceed without them. . . .

1. RC, Henry Ford Museum Bicentennial Collection, Edison Institute, Greenfield Village and Henry Ford Museum, Dearborn, Mich.

405. Maria McKesson to Catherine Clinton
New York, 5 July 1788¹

It is just ten o Clock and I am this moment got home from your house where I have been since yesterday Morning—I went to spend the fourth of July with your Mama and I staid with her all night least she might be frightened in the night if any Noise should happen, but it was very still, peace and quietness seem to reign throughout the City—the procession yesterday in passing your Doore Gave as usual the Military salute with every mark of respect. A few Good friends waited on Mrs. Clinton to pay her the Compliments of the day—as to their Public parade the News papers will give you Ample information—

Mrs. Clinton is not very well just now, but she will be better in a few days, you know how she is often—besides she is a good deal fatigued with Patty who has been ill some time with the rheumatism, quit Same as you know she often has been—but I am in hopes that by to morrow she will be much better as your Mama has bathed her knee with Mellasses this morning—you remember I promised to be particular, and I have wrote you the very worst—and mean to give you an Account of matters just as they are—Pattys knee is too painful at present to bear the jolting of a Cairage, but as soon as she is a little better your Mama will perhaps goe to Judge Covenhovener's and try what effect the salt watter bath will have on her. I say perhaps because I am not sure that she will go—but I will let you know by the first conveyance—so you need not be uneasy nor hasten home one moment sooner on account of Patty as her Complaint is not dangerous. Maria talked very much of you for a few days after you left us but she is now reconciled—Cornelia is much improved indeed, she is become very industrious,

assists her Mama a Great deal—and feels all the importance of an Elder Daughter. . . .

1. RC, George Clinton Papers, NN.

**406. Peter Allaire: Journal of Occurrences
New York, 6 July–6 August 1788 (excerpt)¹**

. . . The State of New York After Setting near Two Months Adopted the New Federal Constitution. Majority, Two, for the Question 31 Against it 29 when they first met, there were 41 Antis Against 19 Federals but as Two States Adopted it while they were setting the[y] found they could not form a Republick of their own, therefore joined the Union, Our Govr. was at the head of the Antis. . . .

1. RC, Foreign Office, Class 4, America, Vol. 6, ff. 469–76, Public Record Office, London. Endorsed: “Intelligence/R. 29th. Sepr. 1788/From Sir G[eorge] Yonge.”

**407. Sarah Jay to John Jay
Elizabeth Town, N.J., 7 July 1788 (excerpts)¹**

Yr. letter in answer to mine of the 19th. Ult. I’ve recd. & thank you for; by the last Post I hope another of mine & one from our son has reached you. . . .

. . . Content My Love! to Cheat you of a single care or of more numerous ones but for a single moment would recompense me for more trouble than folio’s of such letters would cost me—Mama & myself are going to take a ride, the object of which is to inquire if there is a letter at the Post-Office for me, & to drop this one there—every one is anxious to hear the effect which the accession of Virginia has had upon your Convention, & the expectation of having my own Curiosity gratified on that subject, as well as my solicitude about your health encreases my impatience to hear from you—

My Mother lets me know she is waiting for me & desires her love to you, my Father is impatient to see you—I hope you know too well your influence upon my heart to require me to tell you how very happy Your return will make

1. RC, John Jay-Iselin Collection, Columbia University.

**408. Abraham Van Vechten to Silas Talbot
7 July 1788¹**

I am informed this Morning that you arrived last Evening from Albany, and being anxious to hear the Particulars of the Riot must request you’ll be so obliging to give me the best Information in your Power on that Head by the Bearer.

If you have any Debates of our Convention besides the Chancellors & Lan-sings first Speeches, which you’ll favor me with the Loan of I shall be exceedingly obliged to you, or if you can advise me of any thing new on the Score of Politicks, it will be highly acceptable.

Mrs. Van Vechten and myself would have done ourselves the Pleasure of waiting on you personally this Afternoon, but I am necessarily obliged to go down to the River whither she accompanies me—Be pleased to make her Compliments acceptable to

1. RC, Talbot Papers, G.W. Blunt White Library, Mystic Seaport Museum, Mystic, Conn.

409. Noah Webster Diary

New York, 7–9, 17, 21 July 1788¹

7 At evening attend Philological Society. choose officers—

8. attend the same & read my 4th Lecture—appointed one of the committee to arrange matters for the procession.

9 Wait on the Federal Committee for the purpose

17 Meet the Committee of arrangement for the Philological Society, & order the Procession for the 23d Inst.

21 Prepare for Procession—attend Society—

1. MS, NN.

410. New York Journal, 7 July 1788¹

Extract of a letter from Poughkeepsie, July 3.

“The Convention have got to the 2d article—several amendments have been proposed this day, and none dissented. Yesterday the news of the Virginia reservoir adoption arrived here from New-York; it is said in 9 hours. It has made, in my opinion, no impression upon the republican members.”

1. Reprinted: *Virginia Independent Chronicle*, 16 July. This extract is from the 3 July letter from De Witt Clinton to Charles Tillinghast (RCS:N.Y., 2082–83n).

411. Poughkeepsie Country Journal, 8 July 1788¹

Since our last nothing very material has transpired in Convention—they are still discussing the constitution by paragraphs, and we flatter ourselves in our next we will give to the public, the final result of their deliberations.

1. Reprinted in the *New York Journal*, 10 July; *New York Packet*, 11 July; *Lansingburgh Federal Herald*, 14 July; and in ten out-of-state newspapers by 17 July: Mass. (2), R.I. (1), Conn. (4), Pa. (3).

412. Jacob Broom to Levi Hollingsworth

Wilmington, Del., 9 July 1788 (excerpt)¹

I rece'd your favor of the 5th current, & am extremely pleased to hear that your procession was conducted with such good order, so spoken of as well as with admiration by all ranks & degrees of those who were the spectators—the

glad tidings from New York I hope, & expect will soon succeed it.—then as you say all will be well. . . .

1. RC, Hollingsworth Papers, PHi.

**413. Peter Collin to Nicholas Low
New York, 9 July 1788 (excerpt)¹**

Having written so far I received your much esteemed favour of the 18th Curt. and congratulate you on the favourable prospects you have of seen the New Constitution adopted by your Convention for which happy event all ranks of People here are waiting impatiently. . . .

1. RC, Low Papers, NHi. Low was in Poughkeepsie as a delegate to the state Convention.

414. Massachusetts Centinel, 9 July 1788¹

Of the NEW-YORK CONVENTION

All we can learn is, That the Constitution had been discussed by paragraphs, and that the general question was in debate—and that many amendments, none new ones, had been proposed. What effect the ratification of Virginia had on the deliberations of this body, we have not learnt.

1. Reprinted: *New Hampshire Gazette*, 10 July; Exeter, N.H., *Freeman's Oracle*, 11 July; Portland, Maine, *Cumberland Gazette*, 17 July.

415. Springfield, Mass., Hampshire Chronicle, 9 July 1788

We learn that New-York is much divided, and that the Constitution meets with many opposers in their Convention. It is however believed they will not be so unwise as to vote themselves out of the Union—but that they will rather adjourn, and wait the issue of the important and final decision by the State of North-Carolina, which is now in session.

**416. A Correspondent
North Carolina Wilmington Centinel, 9 July 1788**

Messrs. BOWEN & HOWARD, In your last paper, you have corrected an insidious attempt to impose upon the public, with respect to members of the convention for the state of New-York; but as Mr. Greenleaf's paper is by no means orthodox, it becomes necessary to make some observations upon his mode of distinguishing between the federalists and anti-federalists.

The whole account published in the Patriotic Register, with so much triumph, is so little to be depended on, that instead of making for the anti-federal party, it may fairly be construed to make against it. Concealments and misrepresentations, when discovered, make strongly against those who expect to derive benefit from them. Where the anti-federalists are said to be successful, the small number

of votes for the federal candidates are carefully mentioned; but when the members for the city and county of New-York are mentioned, with the number of votes, amounting to 24,999, we are told that the votes were only 2836; and neither with respect to that election, nor those of West-Chester and King's County, is there any thing mentioned of the unsuccessful anti-federalists; so that we may reasonably conclude, either that they had no votes, or so few that it would disgrace the party to mention the numbers.

The city and county of Albany sends ten members to the convention. Supposing it to be true that seven anti-federalists are elected (and no more are mentioned) we may fairly presume that the other three are federalists. It will not be unfair to conclude, that the two from Richmond are of the same political principles, as Mr. Greenleaf has published their names, and carefully mentions *all* who are supposed to be against the new constitution. Whoever, therefore, are not mentioned as anti-federalists, we may conclude to be of a different party. The same may be presumed of the four members from Washington, notwithstanding the puff to the contrary, and of the two members from Gloucester, a county not even named by Mr. Greenleaf. If this reasoning is founded, the federal party will have twenty-eight members out of seventy, which is the whole number.—The majority, upon this calculation, will be thirteen in favour of the anti-federalists; but when it is considered how very loose, inaccurate, and defective Mr. Greenleaf's list is, and how much, in the *mode* of publication it leans to one party, every prudent man will at least suspend his judgment. An attempt is made to blind us by mentioning party tickets. It is therefore necessary to unveil the mystery. Each party prepares a list of candidates, composed of men of different political principles, but having a majority of the party who prepares the list. A single proof of this will be sufficient. In the anti-federal ticket proposed for the city and county of New-York, and published by Mr. Greenleaf, may be seen the respectable names of Jay and Hamilton, two of the most decided federalists in the United States. It is highly probable, that the same policy was adopted in other parts of that state, and that many of the members whose names are mentioned to be in the anti-federal tickets, are opposed to that party; a party that can hardly hope to succeed when so many states have adopted the new constitution, and who were unsuccessful, when they tried their whole strength in opposing the call of a convention.

The elections in the state of New-York should not have engaged my attention, had they not been introduced into your paper with an apparent design of influencing the opinions of those whose conduct ought to be regulated by other and higher motives.

417. John Brown to George Muter
New York, 10 July 1788 (excerpt)¹

... Congress is now engaged in framing an ordinance for putting the new government into motion; it is not yet complete, but as it now stands the elections are to be made in December, and the new congress to meet in February; but it

may undergo alterations. Ten states have ratified—this state is now in session—what the result of their deliberations will be, is as yet doubtful; two-thirds of the members are opposed, but 'tis probable they may be influenced by motives of expediency. North Carolina will adopt—time alone can determine how far the new government will answer the expectations of its friends; my hopes are sanguine, the change was necessary. . . .

1. Printed: Humphrey Marshall, *The History of Kentucky* . . . (2 vols., Frankfort, Ky., 1824), I, 306.

418. New York Journal, 10 July 1788¹

Accounts from Poughkeepsie, last evening, by private letters, mention, that the *final question* was to have been taken in the hon. convention *yesterday*. The writers mention, that it was thought the constitution would be carried in the same mode as by Virginia.

1. Reprinted sixteen times by 31 July: N.H. (2), Mass. (6), R.I. (1), Conn. (1), N.J. (1), Pa. (1), Md. (2), Va. (1), Ga. (1).

419. New York Journal, 10 July 1788¹

Some accounts were likewise received by post, of an affray between the federals and anti-federals at Albany; particulars of which could not be obtained for this day's paper.

1. Reprinted four times by 31 July: Conn. (1), N.J. (1), Md. (1), Ga. (1).

420. Newport Herald, 10 July 1788

By a packet from New York we receive pleasing intelligence of the ratification of the New Constitution by the State of Virginia, which was carried with a majority of Ten.—The ratification of New-Hampshire, had not reached the Convention in Virginia until after they had decided this important question.

The latest accounts from New-York, are so favorable that we flatter ourselves, that our next Herald will announce the ratification of that State.

421. Evert Bancker to Abraham Bancker New York, 11 July 1788 (excerpts)¹

My last to you was the 2d Instant which I hope is come to hand, since which I received yours of the 5th instant on the 7th by which I find that the Gentlemn on the federal side have Changed their System of proceeding by not making any Reply to any of the propositions from the Antifederalists &c I think what I wrote in the above mentioned of the 2 instant will Suffice as an Answer to yours of the 5th: Since I have been informed of more flattering Accounts so that I am in great hopes to hear it to be agreeable to my Wish & prayers. . . .

P.S. . . .

I find by the papers that the Legislature of Rhode Island are called to appoint the Chusing a Convention to Adopt the New Constitution

1. FC, Bancker Family Correspondence, NHi. Endorsed: "Copy of a Letter to Cousin/ Ab: Bancker at/Poughkeepsie."

422. "Z. Y."

New York Packet, 11 July 1788¹

Messrs. LOUDON, After returning from a walk on the Battery last Sunday evening, and thinking seriously of our situation at this critical juncture—when it is expected by many, the new Constitution will be rejected by our Convention, now deliberating on that important subject; I threw myself upon my bed, and strongly impressed with that idea I fell asleep, and dreamed that we were separated from the Union, and were already arrived to the year 1791; at which date a friend of mine, whose countenance was marked with distress, handed me some newspapers printed in this city, in which I thought I read the following; and immediately on waking, committed it to writing—and as it may be somewhat prophetic of our best situation at that period, you may think it worth a place in your paper. I am, &c.

Z. Y.

Intelligence Anticipated.

New-York, May 10, 1791.

By dispatches just received we find that our resident at the Court of the United States, had presented a few days since, a spirited memorial to the President; wherein he strongly urged the surrender of the posts in the High-lands to our government; and particularly dwelt upon the injustice of Congress exacting a toll of all vessels passing and repassing the same:—The accounts also further add, that he had a conference with the Secretary of Foreign Affairs on the occasion, who gave him to understand, that his request was utterly inadmissible—that the Congress at their late session, had expressed their sentiments very fully on that subject—and that he had it in charge from the President to acquaint him, that by advices just received from their Ambassador at the Court of Versailles, the French were very pressing for the payment of the money loaned of them—and that he hoped the State of New-York would not deem it unreasonable for the confederated States to hold the posts as a security for the payment of its proportion of the debt—and in regard to the toll upon vessels, he was sorry to inform him, that so far from taking it off, they should be obliged to increase it to 2s. per ton, as it had been found that the 1s. and 6d. per ton already laid, was inadequate to the payment of our proportion of the interest; to which purpose alone it had been applied—He concluded by assuring him, that after the payment of the said debt, and refunding to Congress the expence of building those fortifications, together with that of repairing them, which had been very considerable—he did not doubt but they would take the subject of his memorial into their consideration; and hoped in the mean time nothing might happen,

to interrupt that good understanding which at present subsisted between the United States and the State of New-York. (Miserable satisfaction.)

15—(We understand the President by virtue of a law of the United States, has issued a Proclamation, granting, for a limited time, the importation of wheat and flour into several ports of the United States from this State, on payment of the following duties, viz. 5s. payable on flour, and 1s. per bushel on wheat. 'Tis said this indulgence is owing to the failure of the crops, in the State of Virginia and Delaware.

17—On Friday last passed our Assembly, for drafting a certain proportion of the militia from each county in the State, which are to take their station at different posts to be assigned them by the Adj. General, to prevent the depredations of our good neighbours, on each side of us, as it seems all remonstrance to the Fœderal Court, is insufficient to restrain this lawless banditti, who, on account of our separation, think themselves at liberty to plunder us without distinction. And though the expence must be considerable to maintain the number of men necessary for this purpose; yet the dignity of the State, and the loud calls of our citizens for protection, require it.

19—Yesterday arrived the sloop Sally, Captain Anti, from Charleston, with a few casks rice, who gives an account that the Congress Frigate, Union, is stationed at the mouth of that harbour, and is exact in searching every vessel from this State. So rigid are they in the execution of their navigation import laws; and so jealous and fearful, are these confederated republics of receiving any kind of merchandize through our hands.

A Philadelphia paper of the 15th inst. mentions some important dispatches to have been received at the Court of the United States, by the British Packet. The particulars have not yet transpired, tho' it is supposed they contain something serious, as the Secretary of the marine department advertises to receive proposals for contracting for the building 6 ships of the line; which proposals are to be laid before Congress at their next session, for ratification: And the accounts further add, that the flourishing situation of their commerce, will enable them to man them completely, as soon as they are fit for sea—and that the œconomy in the management of the impost and post office (now a considerable source of revenue) to keep them in commission without any additional burthen on the people.)

(*To be continued.*)

1. On 8 July the *New York Packet* stated that “we are obliged to omit [this essay] until our next publication; in which it will be duly inserted.” The text in angle brackets was reprinted in the *Providence Gazette*, 26 July.

423. New York Journal, 12 July 1788

A gentleman, who left Poughkeepsie on Tuesday evening, informs that the convention was not ready for the question, and that it was not expected it would be taken until *this day*, or the beginning of the week.

424. Thomas Jefferson to Baron de Geismar
Paris, 13 July 1788 (excerpt)¹

. . . my last news from America is very encouraging. eight states have adopted the new constitution & we are pretty sure of three more. New York is a little doubtful, & Rhode island against it. but this will not prevent it's establishment, & they will come into it after a while. . . .

1. FC, Jefferson Papers, DLC.

425. John Dickinson to Tench Coxe
Wilmington, Del., 14 July 1788 (excerpts)¹

My dear Friend,

. . . I shall be much obliged by any Communication concerning the Politics of New York—

1. RC, Founders Collection, Spahr Library, Dickinson College, Carlisle, Pa.

426. New York Journal, 14 July 1788

Accounts from Poughkeepsie, by Saturday evening's mail, mention, that the hon. the convention were not ready for the *question* on Thursday. It was proposed, that Saturday would be the day of *final decision*.

427. William Pynchon Diary
Salem, Mass., 15 July 1788 (excerpt)¹

. . . News from N York that the fed. constitution may not be accepted there

1. MS, Pynchon Papers, MHi.

428. Caleb S. Riggs to John Fitch
New York, 15 July 1788¹

I received yours of the 7th June and the one dated a few days before together with the Pamphlets directed to Congress and gave them to the Door Keeper which were distributed amongst the members of Congress, but as the House was not full the matter has laid dormant until yesterday, there then being thirteen States represented Mr. Clark brought the matter forward. It seems that the Committee had reported to the following effect, viz. that a tract of land should be granted to you as a compensation for the invention and to reimburse you for your expences, and that another tract should be granted you when the Boat should be made to move by the force of the Steam at a certain rate; but blanks were left for the number of Acres, so the first question was to fill up the blanks, but for some cause perhaps that of Ramsey's they would not agree to fill them with one single Acre, and then a move was made to negative the report, which Mr. Clark desired might not be done beging them, rather to let it remain saying

that if they would do you no good, it was unnecessary to do you hurt and there it rests, no prospects remaining of any thing being done to your advantage whatever.—

I sincerely regret your misfortunes, but am unable to give you relief; thus are our expectations (like the corn of the field) blasted just before the harvest—I know of but one more chance which (from Mr. Clarks account of the present opinion) seems little better than “*entering two men on one [portion of?] the Back Gammond table with one [— —] the [Qui?]*,” which is that some change may take place in Government to your advantage.

If you should determine to go to Kentucky, may write me before you set sail—*Politicks* to be or not to be is now the question, time is pregnant with something which must soon appear, but in what shape or colour is left at present at best but to conjecture: by the last accounts from the Convention, it is yet a doubt whether they will follow the example of Virginia by adopting and recommending amendments or have the amendments to preceed which I call rejecting it; the federalists by their writings from Poughkeepsie express great doubts, though some of the opposition have actually come over, and those of popular characters too—The antifederalists in this City very few excepted expect and seeme to hope for its adoption and recommend amendments as the least evil of the two—If it should not be adopted and that without previous amendments, Congress will certainly remove from hence; and Philadelphia probably will be their place of abode: And we shall not only loose them, but I think, have riot, confusion, and blood-shed introduced amongst us—I have only to add that my prayer is Heaven give them wisdom and avert the impending danger.

Pardon me for troubling you this much and you will much oblige your sincere friend and hu[m]le servt.

1. RC, Fitch Papers, DLC.

429. New Hampshire Spy, 15 July 1788

To make known the joy of the citizens of New-York, upon the adoption of the new constitution by TEN states—a PROCESSION of the several branches of mechanics, &c. was to take place the 10th inst.

430. New York Daily Advertiser, 16 July 1788¹

By a Gentleman who arrived here on Monday last from Poughkeepsie, we are informed, that the Antifederalists had met frequently in the course of the last week, and that in these meetings there was much warm debate:—some were for rejecting the Constitution:—but the majority, more moderate, insisted on an adoption, with certain conditions; and this at length was agreed on, as the extreme point of concession. The plan was accordingly formed, and brought forward in Convention.

A motion was then made for an informal Committee to be chosen from both parties, in order to organize more completely the amendments, and to fix on some accommodating scheme for an adoption.

A Committee was accordingly appointed, and having met, instead of entering mutually on the business, the Antifederal budget was immediately produced and opened, and a complete plan of adoption was presented as a single proposition, for the assent of the Federalists, attended with a declaration that this was their ultimatum. No room then remained for any general reasonings, but the matter was reduced to a point, and the propositions were only to be assented to or disapproved. Mr. Jay, Judge Hobart and others, strongly opposed the measure; urged most forcibly that the proposition led to a virtual and total rejection of the Constitution; and declared they could not consult with them at all, if they insisted upon that point. Both parties were firm, and the Committee dissolved without coming to any agreement.

1. Reprinted: North Carolina *Wilmington Centinel*, 13 August.

431. New York Daily Advertiser, 16 July 1788¹

The happy effects resulting from the adoption of the New Constitution, begin already to be felt; returning confidence seems to promise once more to raise the drooping shade of public credit, and to place it on the firm basis of national faith, protected and supported by the united strength of liberty and justice. The efforts made by Congress under the old confederation to comply with their engagements, are convincing proofs of their earnest desire to prevent the evils which uniformly flow from breaches of public contracts; and to their immortal honor evinces their strict adherence to honesty and good faith. A subject of such vast importance will necessarily be amongst the first that engages the attention of the New Congress, and from the great resources our country is possessed of, and the wisdom of our Representatives, we shall have every thing to hope and nothing to fear.

1. Reprinted: *Maryland Journal*, 25 July.

432. New York Independent Journal, 16 July 1788¹

We hear, that the ratification of the New Constitution, by this State, will take place in a few days; but without the voice of the Federalists, and with the following conditions, viz. That Congress shall have no power to call out the militia, levy direct taxes, &c. in this State, until a Convention be called, and the amendments by them adopted. This intelligence is not given as *genuine*—though from tolerable good authority. There are various other reports in circulation; but they favour too much of improbability for public notice. —*N.Y. Museum*.

1. Reprinted: *Pennsylvania Packet*, 18 July; *Pennsylvania Journal*, 19 July; *Fredericksburg Virginia Herald*, 24 July. This item has not been located in the extremely few issues of the *New York Museum* that still exist.

433. Pennsylvania Gazette, 16 July 1788¹

Our brethren in the Convention of New-York, it is confidently said, will not leave us. May the God of our common fathers lead to whatever is right.

1. Reprinted: *New York Packet*, 18 July; *Maryland Journal*, 22 July; *Massachusetts Centinel*, 26 July; Providence, R.I., *United States Chronicle*, 31 July.

434. Pennsylvania Packet, 16 July 1788¹

Extract of a letter from New-York, July 14.

“We are in hourly expectation of hearing of our Convention having adopted the Constitution conditionally.

“Great and elegant preparations are making here for the celebration of the adoption by Ten States—to be 22d instant.”

1. The entire letter was reprinted by the *Maryland Journal*, 18 July. The first paragraph only was reprinted by the *Pennsylvania Mercury*, 17 July; Fredericksburg *Virginia Herald*, 24 July. The *Gazette of the State of Georgia* reprinted the first paragraph on 31 July and the second on 7 August.

435. Virginia Norfolk and Portsmouth Journal, 16 July 1788

So very certain are the inhabitants of New-York, that the Grand Fæderal Union will finally be established by that State, that the different ranks and orders of citizens are making every preparation requisite to celebrate that happy event, wherein the tradesmen and mechanics seem to emulate each other in the display of their respective devices; in this general parade, we learn, the Brethren of the Type intend to appear conspicuously striking.

436. Virginia Centinel, 16 July 1788¹

The citizens of this metropolis, on receipt of the agreeable intelligence of New-Hampshire and Virginia having ratified the Federal Constitution, testified their federalism, not only by the visible marks of approbation in almost every countenance, but by the ringing of the bells of the respective churches, and a discharge of cannon, attended by repeated huzzas from a large concourse of citizens.

1. The *Virginia Centinel* reprinted this item under a New York, 1 July, dateline. The news of Virginia ratification did not reach New York until 2 July. The original New York printing, if there was one, has not been located.

437. Varitas

Albany Gazette, 17 July 1788

Mr. Printer, The author of that part of a comedy which appeared in your paper of No. 214. will not attempt to write a vindication of his abilities as a

comedian, or that he has drawn with accuracy either of the characters—but, is willing to submit the matter to the judgement of the public, whether Mr. Populus has made any thing to the contrary appear.

When he asserts, that the old breeches are dist[r]oyed, by the recommendation of the new ones, he seems to have forgot, what every body else knows, that poor as the old breeches are, he still continues to ware them.—Should he ever consent to pull them off, it must be at the *eleventh or twelfth hour*.

This mistake, together with the absurdity of the whole answer, obliges me to conclude, that he had again been reading the history of the Schechemites, when your paper came to his hand, and being disordered by passion, was unable to write truth or sense, on any subject, he ought therefore rather to be pitied, than seriously answered.

438. William Heath Diary
Roxbury, Mass., 18 July 1788 (excerpt)¹

. . . It is said a dispute took place at Albany on the 4th. instant between the federalists and antifederalists touching the Publicks rejoycing, and proceeded to blows with Bayonets clubs & several were wounded on both sides, and it is said two of the artis mortally—Mr. Abraham Yates, Jeremiah Van Ransallar and a Mr. Lansing were taken up by the federalists as is said and committed to Jail—The City was then in great disorder. further is not said—

1. MS, MHI.

439. Stephen Van Rensselaer to John B. Schuyler
Albany, 18 July 1788¹

Dear John,

The Bearer Major Rogers from Virginia is on his way to Canada I have recommended to him to pass the Evening with you he has been with me ten days your attention to him will much oblige me our Convention it is reported have adjourn'd till Sepr

1. RC, Van Rensselear Papers, NHi.

440. John Barent Johnson Diary
New York, 19 July 1788 (excerpt)¹

. . . Studied Cas. to day until about 4 PM.—walked to Federal Green to see the Preparations for the Procession. . . .

1. MS, Columbian Library, Columbia University.

441. Philadelphia Independent Gazetteer, 19 July 1788

July 14. Accounts from Poughkeepsie, by Saturday evening's mail, mention, that the honorable the Convention were not ready for the question on Thursday. It was proposed, that Saturday would be the day of final decision.

**442. Rufus King to James Madison
Boston, 20 July 1788¹**

I most sincerely congratulate you on the decision of your convention, and am pleased to hear from your Colleague Mr. Brown that by this Time you have returned to New York—I am greatly indebted to you for the frequent information of the progress of your Convention, and should before now have made you my acknowledgements, had I not supposed that you was on your way to Congress, and that Letters addressed to you in Virginia would pass you on your Journey—New York must have finished their session, and we hope the result has been favorable, but should it be otherwise, it will be general understood & believed in this Quarter, that the rejection arose from selfish and unworthy motives; the character of the Constitution will not thereby be injured, the attachment of the people will not be diminished, but the Sentiments concerning New York, which exist in Connecticut & New Jersey, will prevail in this state & in New Hampshire—We are without any accounts or opinion, concerning North Carolina, you must soon be informed of their Determination; and we hope that Congress will not long delay what they have to do towards organizing the Government—

I expect to leave this place in six or Eight days, and promise myself the pleasure of seeing you soon after in New York

1. RC, Madison Papers, DLC.

**443. Henry Knox to Josiah Harmar
New York, 21 July 1788 (excerpt)¹**

. . . The new Constitution has been adopted by ten States, and it is more probable that New York will also adopt it, in such a manner as may be accepted by the Union—This State has been more averse to the new system than any other state Rhode Island excepted. The Convention of North Carolina meets this day—of the dispositions of that State we know but little. It is probable however as Virginia has accepted that North Carolina will follow her example

It is expected generally and on good grounds that the new government will promote the happiness and prosperity of this Country in an eminent degree. . . .

1. RC, Harmar Papers, William L. Clemens Library, University of Michigan, Ann Arbor.

444. Albany Journal, 21 July 1788¹

Our accounts from Poughkeepsie, relative to the Convention, are so vague and uncertain, that it is next to an impossibility to form an opinion what the result

of their deliberations will be—we hope, however, in the course of three or four weeks, to give our readers a satisfactory account of their proceedings, &c.

Yesterday passed through this city, on his way from Poughkeepsie, D. Swart Esq. one of our delegates in Convention, by whom we learn—*nothing!*

1. The second paragraph was reprinted by the New York *Daily Advertiser*, 29 July, and *Pennsylvania Packet*, 31 July.

**445. Levi Hollingsworth to Richard Dobbs Spaight
Philadelphia, 22 July 1788 (excerpts)¹**

I am hounour'd with yours of the 3d. Current by Capt. Gurlin, and Congratulate you on the ratification of the Constitution by the States of New Hampshire & Virginia our last advices from New York is uncertain tho it is generally believed it will be confirmed by that State notwithstanding the Opposition even by their Governor and his party who are a Majority at present. . . .

I have nothing new to offer. Our Federal procession on the 4 instant was grand beyond my discription. I inclose you a paper with a discription.—
wishing the Several articles sent you may give Satisfaction.—

1. FC, Hollingsworth Letterbook, 1786–1791, PHi.

446. New Hampshire Spy, 22 July 1788

The antifederalists in New-York Convention, propose three amendments, as *conditions* of the adoption of the new Constitution, 1st. That the general government shall not call out the militia of any state, for more than six weeks, without the consent of its legislature. 2d. That Congress do not lay direct taxes upon this state, before they make a requisition—that if they refuse to grant the requisition, they may then levy the same with interest at 6 per cent. per annum, and that the general government do not lay any excises upon any of the manufactures of any of the United States. 3d. That Congress shall not alter the time, place, or mode of choosing senators.

The antis propose further, that the foregoing amendments he submitted to a General Convention of the United States, and if they do not determine it proper and expedient to accede to them, they will submit to the Constitution as it is.

The final question will probaly be put tomorrow (July 15) or next day, by the antis, “whether the Constitution, with the proposed Amendments, shall be adopted or rejected.”

447. Massachusetts Salem Mercury, 22 July 1788

This day is the appointed time for a grand procession in the city of New-York.

448. John Barent Johnson Diary
New York, 23 July 1788 (excerpt)¹

. . . We had a grand Procession today, in honor of the ten States which have adopted the N. Constit.—I walked with the Students, and dined on the Field.—Frequent Showers, in the Afternoon

1. MS, Columbiana Library, Columbia University.

449 A–G. The New York City Federal Procession, 23 July 1788

449-A. *New York Daily Advertiser*, 4 July¹

NOTICE.

ALL HOUSE CARPENTERS are requested to meet at the house of Mr. Vanderwaters on MONDAY next, at 6 o'clock, to receive information respecting the procession.

July 4.

1. Also printed in the *New York Journal*, 4, 5, and 7 July; *New York Packet*, 4 July; and *New York Independent Journal*, 5 July.

449-B. *New York Journal*, 9 July

NOTICE.

ALL White and Black-Smiths in the City of New-York, are requested to meet at the City Tavern To-Morrow Evening at 6 o'clock.

JAMES BRAMBLE.

New-York, July 9, 1788, 43—

449-C. *New York Daily Advertiser*, 17 July

** The PROCESSION is postponed till WEDNESDAY, the 23d instant.¹

** THE HOUSE CARPENTERS are requested to attend a meeting which is to be held at Vandewater's Tavern, THIS EVENING at 7 o'clock, relative to the proposed Procession.

1. This notice also appeared in the *New York Independent Journal*, 19 July.

449-D. *New York Daily Advertiser*, 18 July

☞ THE MASTER PRINTERS and BOOKSELLERS, who have engaged to attend the PROCESSION on Wednesday next, will be pleased to meet TOMORROW EVENING, at the house of Mr. W. Bradford, at the Old Slip, at 7 o'clock.¹

☞ The Members of the MARINE SOCIETY are requested to meet at the Coffee-house, next WEDNESDAY morning, at 7 o'clock, to be in readiness to join the Procession.

All strangers, Masters of Vessels, are particularly invited to join the Society on this occasion.

By order of the President,
WILLIAM NEWTON, Sec'ry.²

1. This notice also appeared in the New York *Independent Journal*, 19 July.
2. This notice also appeared in the *Daily Advertiser*, 21 July.

449-E. *New York Daily Advertiser*, 21 July (excerpt)

CINCINNATI.

☞ The Members are requested to meet at the CITY TAVERN in Broad-Way, THIS EVENING, at 7 o'clock.

☞ The MERCHANTS and TRADERS of this city, who wish to join the General Procession on Wednesday next, are requested to assemble at the Coffee-House, at 8 o'clock on the morning of that day, when the order of march will be fixed, and the signal to move given by the discharge of ten guns.

By order of the Committee of Arrangements,
RICHARD PLATT, Chairman.¹

** The PROCESSION is postponed till WEDNESDAY, the 23d instant.

☞ The MASTER TAYLORS are requested to attend a Meeting of their Branch at Mr. Hern's Beer-House, at 7 o'clock, THIS EVENING.

☞ The body of CORDWAINERS who wish to join the Grand Federal Procession, are desired to meet precisely at six o'clock on Wednesday morning, the 23d inst. opposite the Trinity Church-yard, in Broadway.

By order of the Committee of Cordwainers,
JAMES M'CREADY, Chairman. . . .

1. This notice also appeared in the *New York Journal*, 21 July.

449-F. *New York Daily Advertiser*, 22 July (excerpt)¹

. . . ☞ THE MEDICAL GENTLEMEN who intend walking in the Procession to-morrow, are requested to meet at the City Tavern, THIS DAY, at 11 o'clock, in order to make the necessary arrangements for that purpose.

☞ The MERCHANTS and TRADERS of this city, who wish to join the General Procession TO-MORROW, are requested to assemble at the Coffee-House, at eight o'clock in the morning, when the order of march will be fixed, and the signal to move given by the discharge of ten guns.

By order of the Committee of Arrangements,
RICHARD PLATT, Chairman.²

☞ All the branch of HOUSE CARPENTERS are desired to meet at the house of Mr. Vandewaters To-morrow morning, precisely at 7 o'clock, prepared for the Procession—hereby they are required not to fail.

By order of the Chairman,

EPHRAIM L. WHITLOCK, Sec'ry.

☞ The SCHOOLMASTERS, who would wish to join the Federal Procession, To-morrow, are requested to attend This Day, at 12 o'clock, at the City Tavern.³

☞ The body of CORDWAINERS who wish to join the Grand Federal Procession, are desired to meet precisely at six o'clock TO-MORROW morning, the 23d inst. opposite the Trinity Church-yard, in Broadway.

By order of the Committee of Cordwainers,

JAMES M'CREADY, Chairman.

☞ The Members of the MARINE SOCIETY are requested to meet at the Coffee-house, TO-MORROW morning, at 7 o'clock, to be in readiness to join the Procession.

All strangers, Masters of Vessels, are particularly invited to join the Society on this occasion.

By order of the President,

WILLIAM NEWTON, Sec'ry.

1. For the first part of this item, see RCS:N.Y., 1597.

2. This notice also appeared in the *New York Journal*, 22 July.

3. *Ibid.*

449-G. *Order of Procession Broadsides*

The facsimile is the promised, heavily annotated broadside found in the Library of Congress. Two other broadsides of the Order of Procession exist. A lightly annotated version is in the New York State Library. The version published in RCS:N.Y., 1598–1602n, is Evans 45320.

◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

450. *Massachusetts Centinel*, 23 July 1788¹

Of NEW-YORK.

A letter from New-York, received last night, has the following article, “This day (the 17th inst.) the great question is to be taken in the New-York Convention, but I have no great hopes.”

Another letter mentions, that the prevailing opinion in New-York is, that their Convention will adjourn for a month.

1. The Boston *Independent Chronicle* and *New Hampshire Gazette* reprinted this item on 24 July.

**451. Charles William Frederick Dumas to Thomas Jefferson
The Hague, The Netherlands, 24 July 1788 (excerpt)¹**

. . . A Letter from Amsterdam, of the 21 instant informs me “that by a Ship arrived the same day from N. York, there are Letters up to the 10th. ulto., by which the appearances for the accession of the State of N. Yk. to the new federal plan are less flattering than before, the Members elected for that Convention being two thirds antifederalists: Yet there was a Chance, that if nine States had come in, N. York could do the like thro’ policy”—(We don’t flatter ourselves too much)—“The accounts of Virginia and N. Carolina were promising, and all seem to think, the new Government would be decided upon the Beginning of July.”

We hope, my friends & I, that 12 States will conform to it, & we are truly mortified that one principal State such as that of N. Yk. as much for Commerce as for its local [location], remains at fault in order to then require great entreaties by lengthy negotiations. Though this be the case, in my opinion in the end all will turn out well; & I like to persuade myself that the month of August will not come and go without my receiving positive news, as well as Y[our] E[xcellency] from our friends in Amstm. . . .

1. RC (Tr), Jefferson Papers, DLC.

**452. Ezra Stiles Literary Diary
New Haven, Conn., 24 July 1788 (excerpt)¹**

. . . New York Convention sitting at Poughkeepsy are Two Thirds against the new federal government, & will vote it out. Grand foederal Rejoycing at Philada—Seven Thousd in Procession, and Seventeen Thousd Spectators assembled at the Green

1. MS, Beinecke Library, Harvard University.

453. New York Journal, 24 July 1788¹

The week past has not afforded news of extraordinary moment from any quarter; and, as for localities—the grand procession, the new constitution, and the convention at Poughkeepsie, have engrossed the conversation and time of the citizens.

The proceedings of the honorable the convention we have continued as regularly as could be ascertained; other particulars will be given as soon as possible, and the final result, which every one is anxious to know, immediately on its taking place.

The latter paragraphs of the accounts from Poughkeepsie, in this paper, were received by last evening’s mail, and are the latest accounts in town.

1. The Philadelphia *Independent Gazetteer*, 29 July, and Trenton, N.J., *Federal Post*, 5 August, reprinted only the two first paragraphs.

454. Massachusetts Spy, 24 July 1788¹

In our next we expect to be able to inform our readers of the determination of the Convention of Newyork, on the Federal Constitution. At present we cannot hazard a conjecture, whether that Convention will adjourn, or whether they will adopt the Constitution or reject it.

1. Reprinted: *Boston Gazette*, 29 July.

**455. Robert Milligan to William Tilghman
Philadelphia, 25 July 1788 (excerpt)¹**

. . . [P.S.] N. York will in effect refuse to come into the Union, we shall in consequence have congress, So says the rumour; nothing certain. . . .

1. RC, Tilghman Papers, PHi.

**456. From Isaac Roosevelt
New York, 25 July 1788 (excerpts)¹**

Mr. Lansing then moved, that the words should follow the ratification, "Reserving to this State a Right to Withdraw from the Union if the Constitution is not revised by General Convention." . . . On this debates Ensued, which took up the day and it was not known how the "Brittle Blades" would vote, the taking of the question was waved till to-morrow.

1. Printed: Edmund Platt, *The Eagle's History of Poughkeepsie: From the Earliest Settlements, 1683 to 1905* (Poughkeepsie, 1905), 59, 61. The recipient is probably Richard Varick.

**457. Alexander Coventry Diary
Hudson, N.Y., 26 July 1788 (excerpt)¹**

Cloudy and warm in the A.M. S. wind. Several showers in the P.M. Went to Hudson; called at Tunnicliffes on our way where I dined, and he accompanied me to town. Heard firing, and found it was on account of the news brought to town that the convention at Poughkeepsie had adopted the new constitution with a majority of five members; viz; 30 for it, and 25 against it. When they went to convention, there were only 19 Federal members, and all the rest against the Federacy. . . .

1. Typescript, NHi.

**458. John Barent Johnson Diary
New York, 26 July 1788 (excerpt)¹**

. . . About 1/2 p 3 P M. a heavy fall of rain, with severe claps of thunder, duration about an hour—

This Even about 9 O Cl. was received the importance intelligence of the N. Constitution's being adopted by this State—in consequence of which, the bells were immediately set a ringing—

1. MS, Columbiana Library, Columbia University.

**459. Don Diego de Gardoqui to Conde de Floridablanca
New York, 26 July 1788¹**

It is eleven o'clock on the night upon which there has just arrived by Express the News of the New Government having been adopted by this State, for which reason all the bells of the town are pealing, with shouts [the people] are showing their exhilaration on account of this event, which was not expected, and has been gained by a majority of Five Voters.

It is not doubted now that the two States that remain will follow this example.

As I had dispatched the Mail ship Pinzon this afternoon, and delivered the Box of Letters to the Service, I write this one to communicate to Your Excellency the above expressed, and I conclude by remitting it to the Captain who ought to set sail at four in the Morning.

I remain at Your Excellency's disposition praying God to preserve the life of Your Excellency for many years.

1. RC (Tr), Estado, Legajo 3894, Apartado 1, Letter No. 286, pp. 232–34, Archivo Histórico Nacional, Madrid.

**460. John Smith to Francis Gurney
New York, 26 July 1788 (excerpts)¹**

I arivd Safe here the morning following aft[er] I left your City we got as far as the Lake that evening but the wind was so high we could not Cross their was one Boat attemted and Carried away her mast. & another drove ashore amongst the Rocks up at Lobuck. so that we thought most proper to Remain their untill next morning when we found the wind had fell & had hauled In our favour. & from the time we cast loose from the wharf In twelve minutes we was on the wharf at York. I am happy to have It in my power to Inform you that we are In hourley expecttations of the news of this State's haveing adopted the Constitution. as the last Accts. from them they had got a majority of two for Strikeing out the amendmets. so that you may expect that It will take place verry Shortley. . . .

PS the order of Procession Is not yet published but as Soon as it is I will Inclose It to you

1. RC, Founders Collection, Spahr Library, Dickinson College, Carlisle, Pa.

**461. Noah Webster Diary
New York, 26–28 July 1788¹**

26 Employed in arranging a general account of the procession for the public—News of the Convention's adopting the Constitution receivd. & great Joy testified—

Mr Greenleaf's windows broken the printer opposed to the Constitution.
 27 Sunday—Not very well
 28 Writing an account of the procession. Attend Society—
 1. MS, NN.

462. Paine Wingate to John Langdon
New York, 26 July 1788 (excerpt)¹

. . . Congress have omitted making the necessary arrangements for putting the new Government into effect, out of delicacy to the situation of New York, whose decision upon the proposed constitution has been expected daily for some time. I have now the pleasure of congratulating your Excellency upon their adoption which we have just received the news of. The particulars are not yet come to hand, only that there was a majority of five in favor of an unconditional ratification. The new Congress cannot meet so early as most expected, and many wished for, owing to the situation of some of the Southern States. I hope however that there will be no necessity of Congress meeting under the present confederation after November next.

We have now all the States represented in Congress and considerable business which requires the attention of that body, but expect that as soon as the principal matters are dispatched, the delegates will, many of them return home. Among that number I shall be glad to be one, provided that nothing special should require my continuance here, and my return shall have your Excellency consent.

1. RC, State Papers Relating to the Revolution, New Hampshire State Archives.

463. Samuel Wright to Brown & Benson
New York, 26 July 1788 (excerpt)¹

. . . Our Convention on wednesday took the question whether the Constitution should pass with certain amendments when it passed in the negative by a majority of Two—It then remained to be determined whether it should be adopted for a limited time or not, and this nights post will bring us the final decision—

1. RC, Brown Papers, John Carter Brown Library, Brown University. Wright wrote this letter on behalf of Murray, Mumford, & Bowen.

464. New York Daily Advertiser, 26 July 1788¹

From Poughkeepsie we learn, that on a motion made in the Convention whether any conditional amendments should be annexed to the ratification of the Constitution, it was determined in the negative by a majority of two. Ayes 29, Noes 31.

1. Reprinted: Middletown, Conn., *Middlesex Gazette* and Litchfield, Conn., *Weekly Monitor*, 4 August.

465. New York Independent Journal, 26 July 1788

Extract of a letter from Poughkeepsie, dated Saturday, the 26th instant.

“Yesterday the Convention ADOPTED the Constitution—Ayes thirty-one—Noes twenty-eight—Majority three.”

466. New Hampshire Spy, 26 July 1788

OF NEW YORK,

We can say but little; all accounts from that quarter concur in this, that their Convention will either adjourn, or ratify the constitution *conditionally*. In our next we hope to give our readers an account of their decision.

467. Andrew Craigie to Daniel Parker

Boston, 27 July 1788 (excerpt)¹

. . . Mr. Bargess of the House of Champion & Zichas has upwards of 50,000 Dollars but he will not sell under 5/.—this I shall not give unless under the necessity of doing it. The price is from 4/3. to 4/4 & 4/6 for small quantities but it is difficult to buy a large sum without giving a higher price. Had it been certain that the Constitution wd. be adopted by New York, or even probable, I should have been more anxious to secure the Certificates at the going price but knowing that they wd. not probably rise higher than 5/. should all the states come in & would fall in consequence of its rejection by that State I thought it best to take the chance. The State of New York still holds out but without coming to any decision. Their Convention has been setting between 5 & six weeks & it is now uncertain what the Event will be. Should they reject it agreeable to the present Sense of the majority it will occasion very great Disturbances & affect public Credit. This would favor your plans by giving new opportunities to purchase at a much lower rate—but I shall now as the Business is urgent wait for no contingencies & secure the Object as soon as possible. . . .

1. FC, Craigie Papers, American Antiquarian Society, Worcester, Mass.

468. Murray, Mumford, & Bowen to Brown & Benson

New York, 27 July 1788 (excerpt)¹

. . . Permit us to offer the sincerest congratulations on the adoption of the new constitution in this State on the 25 Inst. at 2 O’Clock P M by a majority of Five, & what adds to the pleasure of the advice is, that it is adopted unconditionally—May your State be no longer blinded to its own Interest, but unite in the federal plan. . . .

1. RC, Brown Papers, John Carter Brown Library, Brown University.

**469. William Shippen to Nancy Shippen
New York, 27 July 1788 (excerpt)¹**

. . . This State has adopted the Constitution by a majority of 5. Great rejoisings here last night. . . .

1. RC, Thomas Lee Shippen Family Papers, DLC. Written from “Arthur Lee[']s Seat at Greenwich” in New York City. The letter is simply dated “Sunday.”

**470. Felix Warley to Andrew Pickens
Charleston, S.C., 27 July 1788 (excerpt)¹**

. . . Ten States have ratified the new Constitution & Congress have appointed a Committee to Report *An Act for putting the same into operation*—It is doubtful as yet whether New York will join them or not—if she does not, it will occasion some trouble. . . .

1. RC, Charleston Library Society, Charleston, S.C.

**471. Thomas Allen to Mathew Carey
New York, 28 July 1788¹**

Yours of 15 & 23d are come to hand with a List of Subrs.—I now return it—you must remr. I before told you twas not complete.

I make no doubt but you have heard of this State’s adopting the New Constitution—I congratulate you on this event—

In haste yours

[P.S.] Some of the Sentrs. want to know why the New Roof is not publish’d in the Museum

1. RC, Lea and Febiger Collection, PHi.

**472. Nathaniel Hazard to Mathew Carey
New York, 28 July 1788 (excerpts)¹**

. . . The Federal Poetry I recd. & distributed, We had a very decent and orderly Procession, the next day after it, Greenleaf insulted the whole City, with a low smearing Accot. of it, which eased him of the Trouble of all his Subscribers in this City, expect a very few decided Partizans. . . .

The Insertion of particular federal Speeches in the Museum, I do not consider as pressing itself, farther, than as it enlists the aid, and ensures the Subscription of those distinguished. You must time the Insertion, and proportion the Quantity, to the Taste of your Subscribers at large, in all Quarters. . . .

You wished to procure the Subscription of Governor Clinton to your Museum It may possibly be effected in Time—The Governor, Chancellor and our three Judges of the Supreme Court, sit every winter with the Legislature, as a Council of Revision, and have the same negative on their Acts, as our President General has under the new Constitution. The Honble Judge Hobart I am well acquainted

with. Tho' just, liberal and firm in his political Sentiments yet possessing a great share of Moderation & Equanimity he has great Influence with all Parties. Your Museum is in his Style; he is a Man of Reading and Taste, but his Stipend is small, and from mere Oeconomy he is I dare say, often obliged to deny himself—I know of no Man in this State more capable of serving you, or more likely to do it than him. If you have not already been *too liberal in that way*, a Compliment of the Museum from January last, and to be continued, would be well received & I doubt not, produce ample Repayment in Time. . . .

1. RC, Lea and Febiger Collection, PHI.

473. Arthur Lee to Anne Hume Livingston
New York, 28 July 1788 (excerpts)¹

. . . New York has adopted the Constitution like Virginia & because Virginia did it. This day will probably decide the fate of your City. It is very doubtful whether Congress will come to you. The adoption here has renderd New York a formidable competition, & probably a successful one. . . .

Congress have resolved to order continental troops agst. the Wyomingers who are in arms. It is a strong measure. How does Miss Coxe do—have you negotiated with her for me—£2000 & her hand are the terms nothing yet from Tommy. No french packet—processions pulling down houses & all manner of rejoicings for the adoption of the Constitution . . .

1. RC, Thomas Lee Shippen Family Papers, DLC.

474. Joseph Lewis Diary
New York, 28 July 1788¹

Rainy day. (Sarah Bayles married as is said). This day I set out in Benj. Freemans stage waggon for New York. I arrived at 4 p. m. & the members of the N. Yk Convention having just returned home, the Citizens gave each of them a salute of eleven guns at their respective doors. N. Yk being the 11th State that ratified & adopted the Fed'l Constitution. I lodged with R. Morris Esq.

1. Typescript, MS Group 295, New Jersey Historical Society.

475. Ezra Stiles Literary Diary
New Haven, Conn., 28 July 1788¹

News this Mornng that N York Convn had adopted the new Constitution 6 Majority

1. MS, Beinecke Library, Yale University.

476. Vermont Gazette, 28 July 1788

By a gentleman from the State of New-York, we are informed, that the convention of that State have ratified the federal constitution. Our informant says, that a committee of the convention were still sitting, forming propositions of amendment.

**477. James Beekman to Thomas Pomeroy
New York, 29 July 1788 (excerpt)¹**

. . . In the mean time permit me to assure you, Sir, that the proposed Plan shall not in the least occasion a Relaxation of my Endeavours in lessening the debt by Remittances made you as often as practicable, which from the Adoption of our new Constitution (an Event of general Joy) we have every Reason to apprehend will be more easily and speedily effected. . . .

1. Printed: Philip L. White, ed., *The Beekman Mercantile Papers, 1746–1799* (3 vols., New York, 1956), III, 1203.

**478. Adam Boyd to Jonathan Trumbull, Jr.
New London, 29 July 1788 (excerpt)¹**

. . . I am extremely sorry to find there is such opposition to the New constitution in the New York convention: and from the conduct of the opposition, I would wish them to proceed in having it rejected, but that the evils cannot be confined to them. . . .

1. RC, Trumbull Papers, Connecticut Historical Society.

**479. W. Cock to Robert Morris
Albany, 29 July 1788 (excerpt)¹**

. . . I congratulate you on the Constitution's being ratified.
P.S. Judge Yates in his Charge to the Grand Jury mentioned the Adoption by this State—earnestly recommended

1. RC, Morris Papers, Rutgers University Library.

480. New York Daily Advertiser, 29 July 1788¹

Mr. CHILDS, If you agree with me in opinion, you will deem the following Song, on the New Æra, worthy a place in your paper. J. S.

A NEW
FEDERAL SONG.

TUNE—*King William's March.*

Long o'er Columbia's awful brow,
Dark clouds their empire held;
But darkness yields to light, for now,

Behold! those clouds dispell'd.
 Grand Chorus.— *Columbia, smile, thy sons are free,
 For Union crowns their liberty.*

II.

In freedom's temple Anarchy
 Had lurk'd, a dang'rous foe;
 Detection seiz'd the imp, e'er he
 Had struck the fatal blow.

III.

Before the fathers of our land,
 By Heav'n's command convened,
 The impious fiend was forc'd to stand,
 His every fault unscreen'd.

IV.

They bid miscreant straight begone,
 Where Night and Chaos reign;
 Plac'd freedom on Columbia's throne,
 There ever to remain.

V.

Sustain'd by Freedom's fostering hand,
 The rising arts shall shine,
 And SCIENCE beam throughout the land,
 With radiance all divine.

VI.

Gay COMMERCE with her sails unfurl'd,
 Our brilliant flag displays;
 Conveys our STARS around the world,
 And lights it with their rays.

VII.

The wondering world in still surprize,
 Our dawning glory sees;
 Beholds that glory brighter rise,
 Encreasing to encrease.

VIII.

The dreary depart soon shall smile,
 And happy millions see,
 The bless'd reward of all their toil,
 In Peace and Liberty,

IX.

Thy copious bowl, bring Bacchus, bring;
 For joy shall crown the song;
 While we in Chorus drink and sing
 UNION and WASHINGTON.

Chorus.—*Columbia, smile, thy sons are free,
For Union crown their liberty.*

CIVIS.

New-York, July 4, 1788.

1. Reprinted: *Pennsylvania Packet*, 31 July.

**481. Clement Biddle to General Washington
Philadelphia, 30 July 1788 (excerpt)¹**

. . . I beg leave to refer you to the papers now put up for an account of the adoption of the Constitution unconditionally by Newyork

1. RC, Washington Papers, DLC.

482. From John Smith, 30 July 1788

I send you the [— — —] signed a Citizen of New York and the extracts from the Journals of the Assembly of this State since the year eighty six so far as they respect to the adjournment of the Legislature Also a Division taken in the late Convention of this State upon the Ratification of the New Constitution and request you to republish them in your paper that my fellow Citizens may know how far the information given by some of the enlightened Citizens of New York may be depended on

1. RC, John Smith of Mastic, Long Island, Misc., Mss., 1787–1791, NH.

483. Connecticut Journal, 30 July 1788

The Convention of the State of New-York, after debating on the Constitution for nearly six weeks, on Friday or Saturday last, adopted it by a majority of five votes.—30 for it, and 25 against it.

The important Intelligence was received in the city of New-York, on Saturday evening, and the citizens testified their approbation of the measure, by every expression of joy.

We expect, in our next, to be able to give a more particular account of the interesting event.

484. Philadelphia Independent Gazetteer, 30 July 1788¹

We hear from New-York that the convention of that state, which have been setting for some time past at Poughkeepsie, have ratified the new constitution by a majority of five, similar to the ratification of Virginia.

As soon as this intelligence reached the city, a number of *federalists*, as the impudent tories, refugees, and those who have been fostered in the bosom of our enemies during the late contest with Great-Britain, call themselves, assembled in the night, when every thing was hushed in silence and repose, and attacked the dwelling of Mr. *Thomas Greenleaf*, the Editor of the *old New-York Journal*, and destroyed the printing-apparatus; because, it is said, some of the above-mentioned gentry were displeas'd at the account given in that paper of last Tuesday's parade.

The particulars of this violence and outrage, have not yet reached us, having received no New-York papers by yesterday's post. We shall therefore only observe, for the present, that the *New-York Journal*, hitherto so obnoxious to *British* tyranny, was originally established and conducted till the close of the war, by that ever-to-be revered patriot and printer, the late JOHN HOLT, deceased; and until this villainous transaction, was the actual property of Mrs. Oswald and her children.

If these be *the dawns* of the *new federal* government, good Lord deliver us from such a monster in its *meridian* glory! O! Liberty where hast thou taken refuge! Were are thy firm and steady friends, who sustained the blasts and fury of tyrants in the memorable periods of 1774, 1775, 1776? Are there none remaining to support and uphold thy drooping and dejected head!

1. Reprinted: *Gazette of the State of Georgia*, 14 August; Worcester, Mass., *American Herald*, 21 August (2nd and 4th paragraphs only); Richmond *Virginia Gazette and Weekly Advertiser*, 28 August.

485. Adrian Bancker to Evert Bancker Hermitage, Staten Island, N.Y., 31 July 1788 (excerpts)¹

. . . Mr: Ryerss is returned to the Island but have not Seen him yet, and no Abraham²—I hope he is well but wether he is at New York, or Elsewhere I have not heard.—

I take this opportunity to Express my Joy on the Adoption of the Foederal Constitution By the Convention of this State, and wish you and all the Members of this State [Mu]ch happiness under the New Constitution, I should have Rejoiced to have been present at the grand procession, and at the Return of our Convention Members but Providence had Ordained it Otherwise, and I must Submit, and not Murmur . . .

My Wife and Daughter Got Safe to the Hermitage between 12 and One OClock last Saturday, they were the first that brought the News to the Island that Our Convention had Adopted the New Constitution which Spread great Joy Among the Inhabitants.—Yesterday Evening I received A Lettr: from my Son Abrm: dated at Poughkeepsie ye: 18th Instant where it has lain so long I cannot think . . .

1. RC, Bancker Family Papers, NHi.

2. Gozen Ryerss and Abraham Bancker were Richmond County (Staten Island) delegates at the state Convention.

486. William Heath Diary**Roxbury, Mass., 31 July 1788 (excerpt)¹**

This morning the Bells in the Town of Boston this Town &c. were rang on account of the adoption of the federal Constitution by the Convention of New York which took place on the 25th. instant at two oClock PM. as is said by a majority of *five*. . .

1. MS, MHi.

487. Samuel Phillips Savage Diary**Weston, Mass., 31 July 1788¹**

SW. fair very cool morning. pleast. Day. Mr. Thatcher and his wife came. had the pleasure of hearing that N York had adopted the new Constitution.—

1. MS, MHi.

488. Paine Wingate to John Pickering**New York, 31 July 1788 (excerpt)¹**

. . . The ratification of New York I think a very favorable event and very unexpected. It was brought about by some persons and circumstances little thought of some time ago. . . .

1. Printed: Charles E. L. Wingate, *Life and Letters of Paine Wingate* . . . (2 vols., Boston, 1930), I, 240–41.

489 A–F. Thomas Greenleaf's Publication Policies on the Resumption of Publication After the Destruction of His Press," 31 July–11 September 1788*489-A. New York Journal, 31 July*

☞ The subscribers to the NEW-YORK JOURNAL, &c. and the public, are respectfully informed, that the publication of this paper DAILY ceased on the 26th inst. and that the publication of THURSDAY's paper will be continued as usual. This paper will be delivered to all the subscribers, both weekly and daily, whose support is still requested. Those gentlemen who have already expressed a desire to withdraw their subscriptions, at this juncture of the Printer's sufferings and distress, will please to indulge themselves one more reflection on the subject; if, notwithstanding, they continue of the same mind, it is desired they would call, or send, and discharge their respective arrearages to an even quarter, agreeably to the spirit of the subscription paper.

The reasons of the discontinuation of the DAILY REGISTER he conceives best not to mention; and with us, if there existed a possibility, consistent with the feelings of an injured individual, even to bury it in oblivion—but, gentlemen—judge ye.

A reflection—that there was a period in which the Editor gave general satisfaction as publisher of a paper once a week, is flattering, and affords a degree

of hope, that gentlemen who feel (of what sentiment soever) at this crisis of his affairs, would rather commence than withdraw a subscription.

The present moment, as it respects politics, the honorable the convention having ratified the federal constitution, is rendered entirely different from the past week—and it was to be hoped, that every individual would have joined his hand to harrow the ground in which are sewed the seeds of a government, which, it is devoutly to be wished, may eventually prove a happy one.

The same mode will be pursued in compiling this paper as before the introduction of the Daily Register; so that all the interesting intelligence of the week will be contained in it, either in full, or by compendium, as the quantity may be.—Should this day's paper not meet the general idea of comparative goodness, it is hoped that it will be attributed to the irritable situation of the printer.

489-B. *Massachusetts Centinel*, 9 August¹

Mr. *Greenleaf*, Printer of the New-York Journal, hath resumed his business, and the publication of his weekly paper, in New-York. In his paper of the 31st ult. he makes a manly apology for the publication which excited the resentment of his fellow-citizens against him—and from the tenour of the several articles in that paper, appears determined to support the Constitution which the People have adopted.

1. Reprinted four times by 21 August: N.H. (2), R.I. (2). Other brief announcements that Greenleaf resumed publication appeared in the Worcester *Massachusetts Spy*, 7 August (reprinted *Boston Gazette*, 8 August), and Portland, Maine, *Cumberland Gazette*, 14 August.

489-C. *New York Journal*, 21 August¹

☞ Since the introduction of the topic of the new constitution, viz. last November, which has been liberally handled in this paper, a number of the illiberal subscribers to it have withdrawn their subscriptions; eight of those since the late unwarrantable attack upon this office, making sixty, in all, withdrawn. They are informed, that unless their accounts are discharged this week, they will be put into the hands of an attorney for regular settlement, much against the desire of the printer. This paper has ever had, and still has, an extensive circulation, notwithstanding the ill-natured assertions of those who act from the uncivilised principles of—“He is going down hill, give him a kick.”—Advertisements, therefore, can be inserted to advantage.—The losses lately experienced, have distressed the editor, it is true, and obliged him to lay out monies which he had appropriated to important purposes; but he is not, as many would wish to have it, abandoned by the more sentimental and patriotic part of the community: he, however, wishes for their further exertions in his favor, as it respects subscriptions, advertisements, and other work in this branch. The merits of his paper have hitherto been flatteringly evinced; its future numbers will not be inferior to the past; to effect which his greatest exertions shall be unremitted.

1. Reprinted: Philadelphia *Independent Gazetteer*, 25 August.

489-D. *New York Journal*, 28 August

☞ The Request of a Correspondent to insert a Piece from the *Pennsylvania Packet*, could not possibly be complied with this Week—Being short of Hands in his Office, the Editor requires earlier Notice for the Insertion of so long a Piece. It shall appear next Week.—Recommendations of Mr. Carey's American Museum, by several Illustrious Characters and Gentlemen of Distinction, next Week.

489-E. *New York Journal*, 11 September

A dearth of interesting news prevails—no arrivals from Europe since our last; and as for the continental papers, even their localities impart lethargics, except those mentioned by our *Constant Reader*, upon electioneering; and a few *Pennsylvaniaisms*, upon the “*extraordinary conduct*” of a certain body of statesmen, who do now, and it is hoped still will, honor this city with their august presence. These are sufficiently seasoned with the satirical, penygerical, sophilial, bombastical, &c.

489-F. *New York Journal*, 11 September

☞ CENSOR cannot be admitted. The author must excuse the Editor for disliking several parts of this production, although it bears the guise of friendship. Other papers ought to be preferred for pieces of this kind, as they respect the Editor, and his misfortunes; but, if other presses should be essayed, and pieces of this nature rejected, this, with the candid, federal or anti-federal, would be sufficient apology for being admitted, in future, into the *New-York Journal*. The thanks of the Editor are due to *Censor*, however, for his desires to [– – –] the current of falshood, viz.—that “the Printer has received generous offers”—that “his types are returned”—that “he has entered a prosecution for damage, &c. &c.”—As these reports are neither of them founded in fact, it is necessary they be contradicted. That the Printer must prosecute, unless his losses, and the damages sustained, are made good through some channel or others, is conceived just by every one; and in this prosecution he shall take the advise of *Censor*, and claim the support of every good member of the community, of whatever political sentiment, as his *right* in character of an injured citizen.

490. Massachusetts Spy, 31 July 1788

We are not yet able to give our Readers the result of the Convention of the State of New-york:—The general opinion is, that that Convention will adopt the Federal Constitution conditionally.

No intelligence from the Northcarolina Convention.

491. Providence, R.I., United States Chronicle, 31 July 1788¹

Extract of a Letter from New-York, dated July 27.

“Permit us to offer the sincerest Congratulations on the Adoption of the new Constitution by this State, on the 25th Instant, at 2 o’Clock. P. M. by a Majority

of 5;—what adds to the Pleasure of the Advice is, that it is adopted *unconditionally*. May your State be no longer blinded to its own Interest, but unite in the Federal Plan.”

1. Reprinted: Connecticut *Norwich Packet*, 7 August.

492. Connecticut Norwich Packet, 31 July 1788

We have just received the pleasing intelligence, that the Convention of the State of New-York, have adopted the new Constitution, by a Majority of TWO.— This is the ELEVENTH PILLER.

493. Connecticut Gazette, 1 August 1788

A letter from New-York, dated on Sunday last, says, “This State adopted the New Constitution on Friday last—Majority 5.”

**494. Laban Bronson to Oliver Wolcott, Jr.
New York, 2 August 1788 (excerpt)¹**

Before this you have heard of the adoption of the Constitution in this State—it gives almost universal satisfaction to the people of this City who appear very much interested at present in the decision of Congress respecting the place of their next meeting which is now in agitation. . . .

1. RC, Wolcott Papers, Connecticut Historical Society.

**495. James Cogswell Diary
Scotland, Conn., 2 August 1788 (excerpt)¹**

fine weather still have been studying for the Sabbath: N. York have adopted the Constitution by ye News Paper. . . .

1. MS, Connecticut Historical Society.

**496. Brockholst Livingston to William Livingston
New York, 2 August 1788 (excerpt)¹**

The enclosed is a Gift of Doctor Livingston which he has requested me to forward—I also send you the paper—which describes our late federal procession—The description however will give you but a faint image of the real elegance & taste displayed on that memorable occasion—

Congress have not yet fixed on the seat of the new Government—We are still in hopes New York will be the place—Much depends on one Rhode Island delegate who has not yet consented to vote on the question—If he does, we shall have a majority. . . .

1. RC, Livingston Papers, MHi.

**497. Samuel Nicholson to Benjamin Walker
Boston, 2 August 1788 (excerpt)¹**

. . . I congratulate you on your States adopting the Constitution, the news of wh. we got yesterday at Boston. I heard the Guns and bells, I long to see the acct. of your rejoicings, for I expect they were something Superiour. . . .

1. RC, Papers of John Paul Jones, DLC.

498. Exeter, N.H., Freeman's Oracle, 2 August 1788

Just as this paper was going to the press, we received the agreeable and interesting intelligence of New-York's having RATIFIED the CONSTITUTION, by a majority of five.

499. Massachusetts Centinel, 2 August 1788

Extract of a letter, dated New-York, July 27, 1788.

"On Friday the 25th, the question of ratification was carried in the committee of the whole by a majority of 31 to 28, to adopt the Constitution unconditionally—and afterwards in the Convention, the same question was carried, 30 to 25, some of the members being absent.

"The ratification was engrossing when the news came from Poughkeepsie, and it was supposed would be signed yesterday, and the Convention dissolve.

"The city and county of New-York, the counties of Richmond, Staten Island, Suffolk, Queens and Kings, Long-Island, and West-Chester, voted *for* the question—except a Mr. *Treadwell*, from Queens—several from Dutchess, one from Orange, and two from Washington."

500. Providence Gazette, 2 August 1788

On the 23d ult. a grand Procession, in Honour of the Constitution of the United States, took Place in New-York, the Particulars of which are not received here.

**501. Phineas Bond to Lord Carmarthen
Philadelphia, 3 August 1788 (excerpt)¹**

Within a few days the Convention of New York have ratified the federal Constitution, in a manner very different from what was generally expected.

The severity of party disputes ran very high and for a long time, my Lord, those who opposed the new Constitution, had a considerable majority:—a very sudden revolution took place in the minds of some of the members and the federal Government was at length adopted without amendment or condition.

In the course of the last month, my Lord, two vessels arrived at New York, one from Canton, the other from Madras: the cargoes of these vessels are valuable,

tho' their burden is not great: they are both brigantines of about 150 tons each—the particulars of their cargoes I have not yet been able to obtain. . . .

1. RC, Foreign Office, Class 4, America, Vol. 6, ff. 217–18, Public Record Office, London.

502. Joseph Jones to James Madison
Richmond, 3 August 1788 (excerpt)¹

. . . a general acquiescence under the decision of our convention seems to prevail through the Country. We have no information from North Carolina consequently cannot communicate even a conjecture what will be the result of their deliberations. from New York we daily expect a communication of their decision, which from the accounts published in the newspapers will probably be a rejection or something equal to it. . . .

1. RC, Madison Papers, DLC.

503. Tristram Dalton to John Langdon
Newburyport, Mass., 4 August 1788 (excerpt)¹

. . . You have my most sincere & hearty Congratulations upon the accession of New York to the Union—To complete the miracle, Rhode Island will come in—The Hand of Heaven has eminently brought us to the Station we now possess—

1. RC, Langdon Papers, Portsmouth Athenæum.

504. John Dickinson to Benjamin Rush
Wilmington, Del., 4 August 1788 (excerpt)¹

. . . Be pleased to accept my heartiest Congratulations on the adoption by the Eleventh state, & to believe Me thy sincere Friend

1. RC, File Box No. 116, File 1788, State Historical Society of Wisconsin.

505. New Hampshire Recorder, 5 August 1788

ELEVENTH PILLAR ERECTED!

The State of New-York adopted the Federal Constitution on Friday the 25th ultimo, by a majority of Five. We hear that the form of ratification is similar to that of Virginia, in our next we expect to publish the particulars.

506. Massachusetts Salem Mercury, 5 August 1788¹

The account of the Newyork procession is not yet published—Gentlemen who saw both, say it was at least *equal* to that in Philadelphia.

1. Reprinted: *New Hampshire Spy*, 9 August.

507. Providence, R.I., United States Chronicle, 5 August 1788

Extract of another letter from Poughkeepsie, dated July 27, 1788.

“Last Friday the Convention of this State ratified the new Constitution by a majority of 5;—30 voting for and 25 against it.—I sincerely congratulate you on this truly important and happy event.”

508. Minutes of the Pennsylvania Supreme Executive Council, 6 August 1788¹

A Letter from his Excellency Governor Clinton inclosing the Ratification of the constitution for the Government of the United States by the Convention of New York, and a Copy of the amendments proposed by the said convention were received and read—

1. MS, Pennsylvania State Archives.

**509. Mason F. Cogswell to James Cogswell
New York, 6 August 1788 (excerpt)¹**

. . . I beg leave to congratulate you on the success which the eloquence, abilities and perseverance of our Federal Members from this City have had in Convention. You have undoubtedly heard before this that our State has adopted the Constitution by a majority of five voices—As the whole City are federal, (a very few excepted) On the arrival of the News from Poughkeepsie the Inhabitants were perfectly inebriated with joy and their transports have hardly [— — —] as yet—Our procession here is testimony of our approbation was perhaps the most splendid that America has ever seen—I send you a paper containing an Account of it—but no description can do it justice—the mild conduct of the people was astonishing—Notwithstanding the amazing concourse of 10- 12- or perhaps 15 thousand people collected together, not a single accident interven’d to interrupt our satisfaction—and but *one* man intoxicated with *strong drink* thro’ the whole day and he was with Shays in the Insurrection—he was kicked from the field and not allow’d to return—

If you have an inclination to know where your Son walk’d in the Procession, I am pleas’d to tell you that I make one of the Philological Society—it is the first Institution of the kind ever established in America—I hope we may do honor to ourselves and be a benefit to others—the attempt I am sure is laudable—however successful we may be in the prosecution of our designs—

1. RC, Mason F. Cogswell Papers, Beincke Library, Yale University.

**510. William Heath Diary
Roxbury, Mass., 6 August 1788 (excerpt)¹**

. . . It is mentioned in a Poughkeepsie paper that the majority in favor of the federal Constitution in the Convention of New York was but three thirty years: 27 nays. . . .

1. MS, MHi.

511. Thomas May to Levi Hollingsworth
Elk Forge, Del., 6 August 1788 (excerpt)¹

. . . I Congratulate you upon the confederation of New York and Expect with the Rest of the people we are now to be happy—Alltho at same time think a good deal more Industry and Oeconomy among us will be as Certain a mode of procuring Temporal Happiness as Temporal Laws & New Constitutions tho the Latter was absolutely Necessary—

1. RC, Hollingsworth Papers, PHi.

512. John Temple to Lord Carmarthen
New York, 6 August 1788 (excerpt)¹

The inclosed are Duplicates of Letters (No. 33 & 34) which I had the honor of writing to your Lordship, by the Thyne Packet, the 2nd. and 3d. of last Month; since which nothing of Importance hath occurred in these States, more than that the Convention of New York have at last adopted, and ratified the proposed new Constitution; and, that Intelligence is hourly expected of North Carolina's having done the same, which will compleat the Union, except Rhode Island, but that State being so small and inconsiderable, their Sentiments and doing upon the Occasion, whatever they may be, will not be considered of much Moment.

Congress are now engaged in organizing a Government for these States, conformably to the Letter of the new Constitution, which is to take place on the 15th. of next March.

A great Struggle hath been in Congress, for more than a Week past, where the first sitting of that Body should be under the New Government, and great Exertions have been made by the Deligates from Pensylvania, and the Southern States, that the Residence of Congress should be at Philadelphia: the Matter is not yet determined upon, but it, at present, appears rather more probable, that Congress will remain here at New York. . . .

1. RC, Foreign Office, Class 4, America, Vol. 6, ff. 223–24, Public Record Office, London. This is Despatch No. 35.

513. Springfield, Mass., Hampshire Chronicle, 6 August 1788

This is the *Hampshire Chronicle's* version of the eleventh pillar illustration.

◆ To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>

514. Pennsylvania Carlisle Gazette, 6 August 1788

A gentleman from the Eastward who arrived here last Sunday, affirms, that travelling through the interior parts of New-York, he met some of the Members of Convention of that State, on their way home, who informed him that the Constitution was adopted by them, by a majority of two.

515. Virginia Norfolk and Portsmouth Journal, 6 August 1788

ELEVENTH PILLAR OF THE *Grand Federal Empire*.
Extract of a letter from a respectable mercantile house in New-York,
to a gentleman in this Town, dated 26th July, 1788

“I now do myself the pleasure of informing you that letters are just come to the City from the Convention advising, That the New Constitution was adopted last evening, by a majority of five. They adjourned until this morning to ingross the Ratification, and it is momentarily expected.”

By this day’s mail we may look for a full confirmation of the above important intelligence.

516. Virginia Centinel, 6 August 1788

A Gentleman from Alexandria, on whose veracity we may rely, informs, that the Convention of New-York have ratified the New Constitution, and that Hand Bills, announcing the same, were circulated there previous to his departure.

**517. Ebenezer Hazard to Jeremy Belknap
New York, 7 August 1788 (excerpt)¹**

It was “a mercy that the N York Convention did not hold their session before that of your State & Virginia;” & indeed all things & respecting the new Constitution have been mercifully ordered so far:—from the evident Interposition of Heaven in its favor I please myself with the Idea that it will answer the Purposes intended. . . .

1. RC, Belknap Papers, MHi.

**518. Samuel Hodgdon to Timothy Pickering
Bethlehem, Pa., 7 August 1788 (excerpt)¹**

. . . [P.S.] New York has adopted the New Constitution Majority of *five*

1. RC, Pickering Papers, MHi.

519. New Hampshire Gazette, 7 August 1788¹

By the yeas and nays published at Poughkeepsie, on the question of ratification—the majority was but 3—yeas 30—nays 27.

1. Reprinted: Massachusetts *Salem Mercury*, 12 August; Portland, Maine, *Cumberland Gazette*, 14 August.

520. Boston Independent Chronicle, 7 August 1788

A letter from New-York, dated July 29th, says, “Our procession on Wednesday last, it is supposed, exceeded any thing of the kind that ever appeared in America

or even in Europe. Joy appeared in every countenance, and no disturbance or accident of great consequence happened, except a child or two hurt by carriages. The procession was more than a mile in length."

521. Massachusetts Spy, 7 August 1788

The State Convention of Newyork, on Friday the 25th of July last, adopted the Federal Constitution *unconditionally*, by a majority of five, and ratified it on the Saturday following; for the form of Ratification, see the 2d page of this day's paper, under the head of Newyork Convention. This pleasing event has been manifested by great rejoicing through the Union. Eleven States, viz. Newhampshire, Massachusetts, Connecticut, Newyork, Newjersey, Pennsylvania, Delaware, Maryland, Virginia, Southcarolina and Georgia, have now adopted and ratified the Federal Constitution.

Northcarolina State Convention met on the 21st day of July last, and in a few days we may expect to hear from that state.

522. Virginia Herald, 7 August 1788

Extract of a letter from New-York, 27th July.

"Notwithstanding the superior force of the opponents of the new government, at the first meeting of the Convention of this state, they have been finally outnumbered by the other side. The ratification, without previous amendments, took place the day before yesterday. It was carried by thirty yeas to twenty five noes."

523. Massachusetts Gazette, 8 August 1788¹

Having been favoured with a New York paper of the 2d inst. which was bro't by a gentleman who arrived the 6th, containing the particulars of the grand procession in that city, we think ourselves obligated, for the amusement of the present, and the information of all future generations, to insert the account at length, that our posterity may know and thereby rejoice, that their fathers had wisdom to accept a constitution framed for their happiness and in honour of which these noble and federal festivals were first instituted—originating in the metropolis of Massachusetts, and extending universally through the Union.

No accounts were received from N. Carolina by the mail last night. We expect, however, in a little time to add the pillar of that State to the newly erected fabrick of American liberty.

We learn that Mr. Greenleaf, who so highly offended the Federalists of New-York, by his imprudent publications in that city, as mentioned in our last, soon made his appearance again in the city, and has reassumed his business, where it is hoped he will meet with no further molestation.

It has often been said exultingly in Great-Britain (says a correspondent) that the British nation sustained no loss by the independence of the United States, and no wonder; for by the plentiful emissions of paper money, and the want of

a general power to encourage American manufactures, and to restrain the importation of British luxuries, more goods were bought of Great-Britain than before the war. But let her beware of the effects of our new government. This will soon teach her the folly of shedding innocent blood, and the injury she has sustained by dismembering the empire. In the articles of iron, cotton, paper and malt liquors alone, she will lose in the course of the present year not less than half a million sterling, and in the course of three years, we hope, four times that sum.

1. The *New York Journal*, 16 August, reprinted the first paragraph.

**524. Benjamin Lincoln to George Washington
Boston, 9 August 1788 (excerpt)¹**

I congratulate your Excellency on the adoption of the new constitution by your State and thank your Excellency for the information It is important to all that New York has at last come in—

Things remain much as they were in this State—I have no doubt but that the people here will embrace the new constitution . . .

1. RC, Washington Papers, DLC.

525. Massachusetts Centinel, 9 August 1788¹

In the Grand Procession at New-York there were Fifty One flags displayed, each adorned with emblematical devices—on Nine of them were portraits and figures of his Excellency General Washington.—A number of the orders took the style of Federal—there were the *Federal Cordwainers, Federal Butchers, Federal Confectioners, Federal Drum makers, Federal Riggers, &c. &c.*

1. Reprinted four times by 23 August: N.H. (3), Mass. (1). A similar item stating that the New York procession “was at least, if not superior to that at Philadelphia” appeared in Newburyport, Mass., *Essex Journal* on 13 August.

**526. Christopher Gore to Rufus King
Boston, 10 August 1788 (excerpts)¹**

I sincerely congratulate you on the adoption of New York; which was the more pleasing as it was unexpected. Your friends are very desirous of your being in the admin. of the new Govt.; but are anxious as to your election, unless you are really an inhabitant of Massachusetts, previous to the time of electing. The federalists are solicitous that you should be actually a resident in this Commonwealth immediately—they wish for your aid & support in administering this constitution, & very publicly say—you may chuse your district—but are fearful that your remaining in N. York will be urged as an objection—Unless your coming here is attended with real difficulties, I think the good of your Country too loudly demands your removal this autumn, to leave a doubt in your mind—The Candidates in this County are Jarvis, Otis, Dawes, & Heath—I think Dawes the most likely to succeed—and as far as my little influence can weigh, it will add to his

scale, unless there is a probability of our having you for the representative of Suffolk—which I think is probable if you take your residence in Boston or the vicinity this fall—let me pray you will consider this subject, & say to me what are your intentions & when they shall be brought to practice.

Jarvis, Hitchborn & Sullivan, it is said, are busy in attaining influence and votes for the former in serious hopes of introducing [– – –] into the first seat of the general Government. Whether this is the case I will not undertake to determine; but there are many circumstances, which evidence a probability of such views in them. . . .

Affectionately your friend,

1. RC, King Papers, NHi.

527. Hartford, Conn., *American Mercury*, 11 August 1788

After the ratification of the new constitution, by the honorable the convention, at Poughkeepsie on the 25th ult. a circular letter, addressed to the executive of the other states, was read, and agreed to, earnestly requesting them to cooperate with this state in obtaining a consideration of the amendments annexed to the said ratification, by a convention to be called for the purpose. The said letters were then signed by all the members present, and the convention adjourned.

A copy of this letter could not be obtained for this day's paper.

528. Richard Butler to Arthur St. Clair Pittsburgh, Pa., 13 August 1788 (excerpt)¹

. . . New York has adopted the new Constitution by a majority of five. . . .

1. RC, Peter Force Miscellany, DLC.

529. Alexander Hamilton to George Washington New York, 13 August 1788 (excerpt)¹

. . . I have delivered to Mr. Madison to be forwarded to you a sett of the papers under the signature of Publius, neatly enough bound, to be honored with a place in your library. I presume you have understood that the writers of these Papers are chiefly Mr. Madison & myself with some aid from Mr. Jay.

I take it for granted, Sir, you have concluded to comply with what will no doubt be the general call of your country in relation to the new government. You will permit me to say that it is indispensable you should lend yourself to its first operations—It is to little purpose to have *introduced* a system, if the weightiest influence is not given to its firm *establishment*, in the outset.

I remain with the greatest esteem Dr Sir Yr. Obed & hum servant

1. RC, Washington Papers, DLC.

530. Pennsylvania Carlisle Gazette, 13 August 1788

On the 23d ult. a Grand Federal Procession took place in New-York, in honour of the Ratification of the Constitution of the United States. It was superbly elegant; the different accounts proclaim it to be equally grand with that exhibited in our capital.

531. Connecticut New Haven Gazette, 14 August 1788

On the joyous news of the adoption of the new Constitution by the Convention of our neighbour and sister New-York, the merits of the friends to government in that honourable body, and the virtue of those from the opposition who helped them to execute the good work of ratification, were complimented with a glorious peal from Christ Church bells.

**532. John Brown Cutting to Thomas Jefferson
London, 15 August 1788 (excerpt)¹**

. . . The inclosed Newspaper contains all that I know respecting the proceedings of New York—excepting the opinion o[f] a gentleman lately from that City who says a majority of the Convention will certainly assent to the fœderal constitution—[if?] any thing interesting or even amusing from any of the United St[ates] should arrive within these ten day you may rely upon an early communication of it. . . .

1. RC, Thomas Jefferson Papers, DLC.

**533. Jonathan Sayward Diary
York, Maine, 15 August 1788 (excerpt)¹**

. . . I have seen the State of New yorks actings Respect to accepting the New Constitution and although there was a majority of 3 only, yet is Clogd with so many Conditions as will Render it unacceptable to Congress. . . .

1. MS, American Antiquarian Society, Worcester, Mass.

**534. John Trumbull to Thomas Jefferson
London, 15 August 1788 (excerpt)¹**

. . . from the Convention at New York we [hear] is a great probability of their acceding.—we expect the Packet every hour when we shall know. . . .

1. RC, Thomas Jefferson Papers, DLC.

**535. George Washington to Marquis de Lotbiniere
Mount Vernon, 18 August 1788¹**

Your congratulatory letter, on the adoption of the Constitution by the Convention of New York, has been placed in my hands: and I have, in return, to request that you will be assured it would be incompatible with the feelings of the good Citizens of America to be insensible to the friendly sentiments, expressed by patriotic foreigners for their public felicity.—

For myself, it might be superfluous to add more than that I remain, with due impressions for your partiality in my favor,

1. RC, Gilder Lehrman Collection, Gilder Lehrman Institute of American History, New-York Historical Society.

536. Poughkeepsie Country Journal, 19 August 1788

The Convention Journals are now printed and ready to be delivered to persons entitled to them. Also a few copies for sale at this office.

Extracts from the Convention Journals will be hereafter published in this paper.

537. Poughkeepsie Country Journal, 19 August 1788

The Constitutional Society of Dutchess County, will meet at the house of Captain Edmond Perlee, on Tuesday the 26th of this instant, at ten o'clock, A. M. By order of the President,

STEPHEN ENO, Sec'ry.

August 6th, 1788.

538. Maryland Journal, 19 August 1788

*Extract of a Letter from a Gentleman at New-York,
to his Friend here, dated the 2d Instant.*

“The GRAND PROCESSION here, beyond all Comparison exceeded any thing of the Kind I ever before beheld.—The Time taken in preparing, and the Expence incurred in decorating, no doubt rendered this the most natural, tasty, august, and sublime Scene ever before exhibited in America.”

**539. John Codman, Jr., to Nicholas Low
Boston, 20 August 1788¹**

By Mr. N. Gouverneur who will have the care of this you will receive sales of the wine & account current. The Sales having been already forwarded during your absence to Convention but least they should not be at hand have sent them again & discounted the balance with Messrs. Gouverneur Kimble & Co. agreeable

to your direction. I shall be happy on all occasions to render you acceptable service & am with respect Your mo hble Servt

1. RC, Low Papers, DLC.

**540. Governor George Handley to Abraham Baldwin and William Few
21 August 1788 (excerpt)¹**

. . . We have information of the State of New York adopting the Federal Constitution which makes eleven States, A Report prevails here that the Convention of the State of No. Carolina has adjourned without a day and without doing any thing—We are in hourly expectation of hearing officially on this business from Congress

1. FC, Governor's Letterbooks, 1786–1789, Georgia Department of Archives and History. Baldwin and Few were Georgia delegates to Congress.

**541. John Cleves Symmes to Jonathan Dayton
Pittsburgh, Pa., 21 August 1788 (excerpt)¹**

. . . Doctor Cutler brings me the news of New York's having adopted the Constitution. . . .

1. Printed: Beverley W. Bond, Jr., *The Correspondence of John Cleves Symmes* (New York, 1926), 41.

**542. John Brown Cutting to Thomas Lee Shippen
London, 24 August 1788 (excerpts)**

. . . New Hampshire adopted the new Constitution on the 21st. of June 59 for—46 against—majority 11. This happened June 21st. Virginia ratified June 25th—89 for 79 against—majority 10.

I hope [the] two events have caused the most unbounded joy throughout the union—and made the 4th of July quite a Jubilee. Philadelphia ordered a procession in which her citizens to the number of twenty two thousand created the grandest day that was ever seen in America. The particulars in my next. . . .

P.S. New York it is thought will refuse the New Constitution—and reject the union—like Rhode Island. Her Convention has been hotly debating since the 17th of June. North Carolina is expected to make the eleventh state in the New Union. Congress have issued their precepts for organizing. If New York refuses to come in—the general Congress will certainly sit in Philadelphia. What manner of lawyers, statesmen & gentlemen ought we then to be?

1. RC, John Rutledge Papers, Southern Historical Collection, University of North Carolina, Chapel Hill.

543. New York Journal, 28 August 1788¹

FRIDAY. A celebrated author observes, "It may sound oddly to say, that the majority is a faction, but it is nevertheless literally just—If the majority are partial in their own favor, if they refuse or deny a perfect equality to every member of the minority, they are a faction: and as a popular assembly, collective, or representative, cannot act, or will, but by a vote, the first step they take, if they are not unanimous, occasions a division into majority and minority, that is into two parties, and the moment the former is unjust, it is a faction."

1. Reprinted: Philadelphia *Independent Gazetteer*, 2 September.

**544. Thomas Jefferson to Charles William Frederick Dumas
Paris, 1 September 1788 (excerpt)¹**

. . . I have the happiness to congratulate you on the accession of New York to the new constitution by a majority of five letters of the 26th. of July from N. York do not mention it. but a postscript to the French Consul's letter (M. de Crevecoeur) written just as the ship, which brought it, got under sail, announce us the fact, with the particulars of the universal ring of bells & other demonstrations of joy.

1. RC, Thomas Jefferson Papers, DLC. On the same day Jefferson gave the same information to Nicholas Van Staphorst (Boyd, XIII, 559). See also Jefferson to Thomas Appleton, 2 September (Boyd, XIII, 560).

**545. George Mason to John Mason
Gunston Hall, Fairfax County, Va., 2 September 1788 (excerpt)¹**

. . . I sent you, by the Brig, the Proce[e]dings of the Virginia Convention; I have not yet seen a Publication of the Debates.

Notwithstanding there was, in the New York Convention, a Majority of two to one against the new Constitution of Government, without previous Amendments; Yet after the adoption by Virginia, they thought themselves under the necessity of adopting also; for Fear of being left out of the Union, & of civil Commotions. They have however drawn up Amendments, nearly similar to those of Virginia, & recommended them unanimously, in the strongest Manner; they have also written a circular Letter to all the other States, solliciting their Cooperation, in obtaining the Amendments, by Application to the new Congress, at their first Meeting; which it is expected will be in March next, at New York; so that there is still Hopes of proper & safe Amendments. The North Carolina Convention has rejected the new Constitution, unless previous Amendments are made, by a very great Majority. I have not yet seen their Amendments, but am inform'd they are much the same with those recommended by Virginia. You Brothers have sent you a Number of late Newspapers; which will give you pretty full Information of the present State of American Politicks.

1. RC, Mason Papers, DLC. For the entire letter, see Rutland, vol. III, pp. 1128–30.

**546. Pennsylvania Supreme Executive Council Minutes
5–6 September 1788 (excerpts)¹**

From the Message of the President and Council to the General Assembly
We also herewith communicate . . . copies of the ratification of the Fœderal Constitution by the States of Virginia, South Carolina, and New York, with amendments proposed by Virginia and New York; also a letter from the President of the Convention of North Carolina, inclosing the proceedings of the said Convention, . . .

1. MS, Pennsylvania State Archives.

**547. John Brown Cutting to Thomas Jefferson
London, 6 September 1788 (excerpt)¹**

. . . We have yet no certain intelligence either of refusal from New York or ratification from North Carolina Vessels however are momentarily expected, beside the packet. Quere. If New York withholds her assent—whether while the state is thus ex-fœderal her citizens are eligible to any office in the gift of Congress under the new union. Your solution of this question will settle a debate which has recently agitated a private circle of us here. I hoped to transmit this letter by Mess. Parker & Barlow who proceed [to] the continent tomorrow. But this morning I learn they take Bru[ssels] in their way—which being a circuitous rout to Paris. I prefer quicker conveyance. . . .

1. RC, Thomas Jefferson Papers, DLC.

**548. Samuel Blachley Webb to Samuel Hodgdon
New York, 7 September 1788 (excerpt)¹**

. . . Congress have not yet decided the question where the new Government are to meet, I am fearful this delay will give new spirits to the enemies of the Constitution, and that it may operate very unfavorably.

1. RC, Webb Family Papers (Ford Collection), NN.

**549. Nicolas and Jacob van Staphorst to Thomas Jefferson
Amsterdam, 8 September 1788 (excerpt)¹**

We are honored with Your Excellency's ever respected favor of 1 Inst, with the agreeable Intelligence of the Accession of the State of New-York to the New Federal Constitution, For which We return You our most sincere and hearty Thanks. This is an Event We deem of great Consequence, as it will stamp such a Weight upon the Meeting of the new Congress, as will render equally contemptible as ineffectual, the solitary Schism of Rhode-Island, there being We believe little doubt of the Concurrence of No. Carolina. . . .

1. RC, Jefferson Papers, MHi.

550. William Carmichael to Thomas Jefferson
San Ildefonso, Spain, 9 September 1788 (excerpt)¹

I should have sooner thanked you for your favor of the 12th Ulto which I recd on the 24th. Had I not expected that the Courier who will bring you this would have set out Sooner. I have no Official Letters from America, But by a packet from N Y This Court has recd dispatches from Mr Gardoqui to the 28th of July which announce the acceptance of the Constitution. Mr Gardoqui writes me on the 26th that N.Y would accede & he appears in high Spirits & the Ct de F.B seems much pleased to see our affairs in so good a Way—In a conversation which I had with him the last Week he expressed a hope, that we should now soon be able to Conclude a treaty & in a very candid manner gave me his Ideas upon the actual Situation of affairs in Europe & the Strong desire of his C. M. not only to prevent the flame of war from Spreading wider but to Contribute to the Restoration of Peace among the actual Belligerent Powers. On a future Occasion I will transmit to you the Notes I made of this Conversation. . . .

1. RC, Jefferson Papers, DLC.

551. Thomas Paine to Thomas Jefferson
London, 9, 15 September 1788 (excerpts)¹

. . . I enclose you a Philadelphia Paper 10 of July having the account of the Procession of the 4th of that month. An Arrival from Philadelphia which left it the 26th. July brings nothing new.—The Convention of New-York was still sitting; but we have accounts, tho' I know not how they came, that the Convention of N. York acceded on the 29th of July. I since hear that this account is brought by the Columbine in 29 days from N. York, arrived at Falmouth, with wheat to Lisbon. . . .

[15 September] This letter was intended to go by the last dispatches of Mr. Bartholemey but was too late. I have since seen a New-york paper of the 8th. of August, in which there is a circular letter from the Convention of New-york signed by the President (Governor Clinton) to the several Legislatures which states, that altho' they had acceded to the foedral Constitution, from principles of regard to the Union, it was, in the opinion of a Majority of them, exceptionable in many points; and recommending that another Convention be hereafter assembled, agreeable to the provision made in the Constitution, for the purpose of reforming altering &c. Nothing particular, as to defect, is pointed at in the Circular letter, the expressions are general, and they disclaim all local Ideas.

A Motion was made in Congress that the New Congress meet at Baltimore which was carried 7 States to 6. The question was reconsidered the next day, and carried 7 to 6 for New York, in this state it stood when the Vessel sailed. . . .

The New York Packet is arrived this Morning. She sailed the eighth of Augs. and brings nothing new. The Majority in the Convention of N. York was but three.

The question for the meeting of Congress at Philadelphia was put and lost. . . .

1. RC, Jefferson Papers, DLC.

552. Arthur St. Clair to Henry Knox
15 September 1788 (excerpt)¹

... I pray God it may in no manner be necessary, for it is of very great Consequence that the Government get into motion with as few external embarrassments as possible I fear there will be internal bias enough and to spare—I am happy however that it has succeeded so far—the opposition will I believe die away gradually, and I should not be surprised to see some of its greatest Enemies become its warm Friends, for I believe many very honest Men were opposed to it—but their fears were awakend and their other Passions wrought upon by Men of another discription of whom there were not a few All America I think is much indebted to the [unwearied] Zeal and perseverance of the New York Patriots in Convention, among whom our *Friend Hamilton* made a very conspicuous Figure—Will you be so obliging as to remember me to him.

1. RC, Knox Papers, GLC 02437.03986, The Gilder Lehrman Collection, The Gilder Lehrman Institute of American History, at the New-York Historical Society.

553. John Brown Cutting to Thomas Jefferson
London, 16 September 1788 (excerpt)¹

... As my passage to South Carolina must be regulated by the intelligence I obtain concerning the probability of a speedy, or more retarded commencement of the operations of the general government, as well of the assembling of the legislature, of the particular state to which I am about to resort, I think you may depend upon the fidelity of my correspondence for some weeks yet to come. Especially if the *new Congress* do not meet until March; and more especially if the circular letter from the Convention of New York shou'd prevail upon two thirds of the states, and among these Carolina, to suspend the functions of *that body* until another general convention can be convoked to consider and decide upon amendments. Or even if the following alteration of the general constitution shou'd by any mean[s] take place as insisted upon by New York, namely “That the judicial power of the United States, in cases in which a state may be a party, does not extend to authorize *any suit by any person against a state*”; I fear my proposed negotiation with the state of South Carolina wou'd be baffled, or rather so evidently promise to be abortive as not to be worth attempting.

The August Packet tho' momentarily expected is not yet arriv'd here from New York. By the next post I hope to announce to you the accession of North Carolina which I look to receive by the packet, since it seems she was to sail three days later than the date of any of the papers I inclose. Among these papers you will observe a transcript of the conventional letter from New York, and certain other articles, which I have with some industry collected and committed to writing for your entertainment. The sources whence I derived most of those extracts were not to be purchased nor even purloyn'd. To Mr. Parker who will be in Paris when this arrives, I have also inclosed an additional newspaper or two, which he will communicate. Those transcripts and these newspapers taken collectively contain the most recent information of american affairs that can be furnish'd from En-

gland. Even if you have 'em already, or fresher intelligence, the bulk of my dispatch will at least evince the energy of my zeal to amuse you. . . .

1. RC, Jefferson Papers, DLC.

**554. Joshua Lathrop to William Livingston
Norwich, Conn., 18 September 1788 (excerpt)¹**

. . . I am very glad that the State of New York finally adopted the New Constitution though Sorry that it seemed to be with so much reluctance when it Seemed so necessary that there should be Some more efficient Government than that of the late Confederation. [I] hope the other States, who as yet See fit to reject the Constitution, will see their Errors & finally comply therewith, & that there may be a universal harmony throughout the united States. . . .

1. RC, Livingston Papers, NHi.

555. Portland, Maine, Cumberland Gazette, 25 September 1788¹

*Extract of a letter from a gentleman of New-york,
to his friend in this town, dated September 15, 1788.*

"Inclosed is the Resolve of Congress for putting the new Government into operation. This Resolved passed by the unanimous consent of nine States. The other four were absent.

Northcarolina is yet federal, and averse to every idea of being out of the union.—They have recommended certain amendments, very similar to those proposed by Virginia; and I am induced to believe that after these have been laid before a Convention of the States, and generally agreed to, that State will come without hesitation into full communion. The Convention arose before they had heard of the adoption of the Constitution by Newyork—otherwise, they would undoubtedly have adopted it before their adjournment took place."

1. Reprinted four times by 11 October: N.H. (2), Mass. (1), Pa. (1).

**556. Bourdieu, Challet & Bourdieu to Nicholas Low
London, 1 October 1788 (excerpt)**

. . . We learned with the greatest Satisfaction of your State having adopted the new Constitution, which we doubt not will in time prove to the happiness of america, and to the welfare of those connected with them . . .

1. RC, Low Papers, DLC. Included with this letter is a duplicate of a 3 September letter to Low.

557. Archibald McLean to Robert Troup
New York, 14 October 1788¹

The enclosed Account is my charge for Printing and Binding the Federalist: When Coll: Hamilton, or the Gentlemen of the Committee examine the Work, they will find the charge exceeding low, considering the bulk of it.—

When I engaged to do the Work, it was to consist of twenty Numbers, or at the utmost twenty-five, which I agreed to print for thirty Pounds, five hundred Copies. I made my calculations accordingly, and issued accd Proposals, each Subscriber to pay six shillings.

The Work encreased from 25 Numbers to 85, so that instead of giving the Subscribers one Vollume containing 200 Pages for six shillings, I was obliged to give them two vollumes containing upward of 600 pages.

The Money expended for Printing Paper, Journeymens Wages and Binding was upwards of two hundred and seventy Pounds; of which sum I have charged Coll. Hamilton with 144 Pounds, which is not three shillings per Vol: I have several hundred copies remaining on hand, and even allowing they were all sold, and the low Price I am obliged to sell them at, I would not clear five Pounds on the whole impression. However I must abide by the consequences, nor could I expect the Gentlemen would make up a loss, which was occasioned in a great measure by my own voluntary Aid.

The many obligations, Sir, I lay under to you and Coll: Hamilton will ever be remembered, and I hope the account will meet the approbation of that Honorable Gentlemen.

1. RC, Hamilton-McLane Families Series Bertholf, DLC.

558. Lord Dorchester to Lord Sydney
Quebec, 14 October 1788 (excerpts)¹

MY LORD,—I enclose certain communications lately received; they are in continuation of the paper marked A inclosed in my letter No. 15 of the 10th April 1787.

[Enclosures]

No. 5.—OPINIONS AND OBSERVATIONS OF DIFFERENT PERSONS
 RESPECTING THE UNITED STATES.

The States at present are divided into two great parties; those who have promoted the new government call themselves federalists, their opponents are distinguished by the name of anti federalists, and their animosities are carried to *great lengths*.

It is generally admitted that the federal convention which assembled at Philadelphia in 1787, was composed of many of the ablest men in the states; after much previous discussion, three plans were submitted to their consideration and debated:

1st. That of New Jersey, supposed to be the production of Governor Livingston, which went merely to the increase of the powers of the present congress; it was judged insufficient.

2nd. Colonel Hamilton's, that had in view the establishment of a monarchy, and the placing the crown upon the head of a foreign prince, which was overruled, although supported by some of the ablest members of the convention.

3rd. That of Virginia which was adopted. The ablest men in the States are at this moment strongly prepossessed in favour of our form of government, and they view the constitution which they are straining every nerve to establish, rather as an experiment, paving the way for a more energetic one, than as a final settlement of the country, but they have gone fully as far as they could, and in truth few instances if any can be produced in which so general a resumption of authority has taken place without violence in so short a time, where the surrender had been so compleat; the new government will be formed at New York in March without much difficulty or disturbance, but whether it will remain for any time possessed of energy sufficient to effect the ends for which it was framed is very doubtful indeed; General Washington will be the President and Mr. Hancock, it is thought, will be the Vice-President, it is suspected both these gentlemen have a french bias.

The new government will be attended with more expence than the present one, or than a prudent well regulated monarchy; the gentlemen whose views were pointed to a regal government, consider the present short lived appointment of President as a poor object for ambition, and that some future one may probably wish to reestablish monarchy in order to raise himself and his family to permanent greatness.

The difficulty of bringing the new government into operation is greatly increased by the inconsiderable majorities which decided its adoption in the conventions of the great states of Massachusetts Bay, New York, Pennsylvania and Virginia, in all of which the majorities as to numbers are antifederalists, although the partizans in favour of the new system hold the greater share of landed and personal property.

The whole weight of the order of the Cincinnati, is thrown into the federal scale, and pains have been taken, particularly during the course of the last year, to strengthen, and cement this military institution, of which General Washington is at present President General, and Major General Knox, Secretary General; notwithstanding all the objections to this order, from the natural jealousy of a confederated Republican government, it is at this moment a hereditary one, with this singular distinction, that the possessor has a right to leave his diploma to a younger son in preference, if he thinks him more worthy of it.

The ensuing winter will be exhausted in state contentions between the two great parties; the enemies of the new government will use every endeavour to weaken it, its friends to maintain the ground they have gained, Pennsylvania has already taken the lead, her legislature being now in session, and she has given the tone to the opposition, following the style of the circular letter from the state convention of New York, upon her adoption of the constitution at Pough-

keepsie; this letter is considered to have been very prejudicial to the federal interest, but it was the price of the compromise of the antifederal gentlemen, who would not even have agreed to this, if New Hampshire and Virginia had not gone before them in deciding to adopt the system; finding the constitution carried, they did not chuse to withdraw from the Union, as Rhode Island and North Carolina have done, knowing that their opponents had determined to separate the southern districts from the northern, and to defend New York Island and its dependencies, which included nearly those positions occupied by the King's Troops during the late war, for which purpose they had actually concerted measures with such of the neighbouring States as had previously adopted the new constitution.

Many wealthy individuals have taken a decided part in favor of the new plan, from the hope that the domestic debt of the Union may be funded, and that the various paper securities, of which they are holders to a great amount, purchased for a trifle, may rise to their full value.

The effect, which the present change now taking place in the states has produced upon that description of men who were known to have been uniformly attached to our government is worthy of notice; some of the most enlightened are federalists, from the persuasion that the re-union of the empire is impracticable; while many of the lower order are violent antifederalists, flattering themselves that the ruin and distress of the country may produce what they have never lost sight of, but a large and respectable proportion take little or no part in the general politics of the day; they begin notwithstanding to rise in the estimation of the country, are courted by both parties, and have in many instances been elected members of the State Legislatures, and even appointed Delegates to Congress.

It is certain that during the present summer while it was not expected, that nine states, the number required by the constitution would ratify it, there was an intention to have had recourse to arms, Major General Knox held himself in readiness at New York for several weeks, and measures were taken to assemble ten thousand men in New England and a corps in Jersey, many of the officers were named for these Troops, General Washington being no stranger to the measure, and it having been reported and believed, that Count Moutier, the French Minister, was taking a part unfriendly to the new government, General Knox told this minister plainly what he had heard, at the same time assuring him, that the gentlemen in the states, were determined to carry this point, and if he persisted in his purpose, or if the agents of his Court, were found to take an unfriendly part in it, it would detach the country from France.

The collection of taxes and prevention of smuggling are amongst the leading difficulties which the new system has to encounter, and it remains yet to be decided, whether the people of the states at large are in a disposition to submit to measures unavoidably requisite, if they are to be a nation, connected with foreign powers, either, by political or commercial treaties; they must have an

army beyond a doubt; the present continental establishment is calculated for the Indian frontiers only, and is even inadequate to that service, yet whilst the murmurs and complaints are universal, population is rapidly increasing, agriculture flourishes, and the face of the country exhibits the pictures of a people, rather unwilling, than unable, to contribute to the necessities, and to restore the honor of a contemptible government.

Amongst the number of objections to the new system raised by the advocates for a monarchy, the constant struggles for power, which in the nature of things must take place between the general or national, and the state governments, are not the least important, without an army it is doubted how far the State governments may not be expected to prevail.

Many sensible federalists view the new system as a work for their posterity, doubt whether any of its advantages will be felt in their time, and seem anxious to remove the impressions of imaginary benefits, which many of its advocates declared it to be pregnant with, in order to give it a momentary popularity in the country.

The antifederalists in general are quiet for the present, but neither the spirit nor the strength of the party are exhausted; sullen and discontented, they hold little intercourse with their adversaries, and all the ties of social life are done away; yet it must be admitted, that in vigor, talents and a chain of intercourse, they are very inferior to the federal party, who amidst a variety of difficulties, enjoy this advantage, that a republican government does not seem calculated for the genius and disposition of the people in the states. . . .

The change now taking place in the United States, has not escaped the attention of the inhabitants of Vermont, they are fully sensible that if a strong national government shall be settled, it may produce claims upon them for the past, and unfavourable offers for the future, but with a composure which strongly marks the character of this people, they seem determined to remain in their present unconnected situation; if hard pressed they will defend their country by arms, every man will fight upon this principle, and they entertain high notions of their own strength in a Defensive war. . . .

1. RC, Colonial Office 42, Canada, Original Correspondence, Secretary of State, Vol. 61, ff. 104–117 (207–233), Public Record Office, London. The letter is marked “Duplicate/No. 82.”

559. Governor Edmund Randolph to the Speaker of the Virginia House of Delegates, Richmond, Va., 20 October 1788 (excerpts)¹

. . . 7. The following subjects and papers have come to our hands, merely to be transmitted to the General Assembly: viz.

1. a circular letter from the president of the late Convention in New-York, recommending in their name another federal convention.—2. two letters from the President of the late Convention in North-Carolina, one inclosing a resolution of that body, concerning the federal Constitution, the other inclosing two resolutions respecting the redemption of paper money and the laying of an impost. . . . 7. the resolution of Congress, preparatory to the commencement of the federal Constitution. . . .

1. MS, Executive Letterbook, Virginia State Library.

**560. Jonathan Trumbull, Jr., to George Washington
Lebanon, Conn., 28 October 1788 (excerpt)¹**

. . . The circular Letter from the Convention of the State of N York, being among the Letters which the Gov^r laid before the Assembly—had of course, a reading among the other public communications—this was all that passed respecting it—for altho we had in the Assembly, the Champion of our Anti's—with some of this Aides—yet no one had hardiness eno['] to call up the Consideration of that Letter, or to mention one Word of its subject—

Excepting a few—very few—discordant Louts whose unharmonious principles will never suffer them to act In general concert—we continue very unanimous in sentiment & salutary measures in this State—and are progressing with much cheerfulness & good humour towards the Commencement of the new constitution—

1. RC, Washington Papers, DLC.

**561. Aaron Burr to Theodore Sedgwick
Albany, 30 October 1788 (excerpt)¹**

. . . Political Strife is still high in this City, the only part of the State where the Spirit of Party is kept thoroughly alive—

You must have heard that in Nyork we are expending several thousands in completing an Edifice fit for the Reception of the federal Legislature. The Rooms will be spacious & I hope commodious—but unhappily places are attached to the old City Hall. . . .

1. RC, Sedgwick Papers, MHi.

**562. Theodore Sedgwick to Alexander Hamilton
Boston, 2 November 1788 (excerpt)¹**

. . . We yesterday committed to a committee of both houses the circular letter from your convention. The event is uncertain as a considerable number of federalists have been brought over to the amendment system, the prospect is not withstanding that the real friends of the constitution will prevail. Every thing

depends upon it; and the exertion will be proportionate to the magnitude of the object. . . .

1. RC, Hamilton Papers, DLC.

**563. Jeremiah Wadsworth to Henry Knox
Stamford, Conn., 2 November 1788 (excerpt)¹**

. . . [P.S.] My cousin James & the rest of the Antis have lost all their influence on our assembly & the Circular letter from N York Convention had no other Notice taken of it Than to be read before both Houses as all public letters are no body dared to call it up to Notice—The Anties are making one more effort in ye Election of Assembly Men for the new Congress—but will fail—

1. RC, Knox Papers, GLC 02437.04021, The Gilder Lehrman Collection, The Gilder Lehrman Institute of American History, at the New-York Historical Society.

**564. Virginia General Assembly to New York Governor George Clinton
Richmond, Va., 20 November 1788¹**

Virginia, to wit:

In GENERAL ASSEMBLY, Friday, the 20th November, 1788.

Sir, The letter from the Convention of the State of New-York hath been laid before us, since our present session. The subject which it contemplated was taken up, and we have the pleasure to inform you of the entire concurrence in sentiment between that Honorable Body, and the Representatives, in Senate and Assembly, of the *freemen* of this *Commonwealth*. The propriety of immediately calling a Convention of the States, to take into consideration the defects of the Constitution, was admitted, and, in consequence thereof, an application agreed to, to be presented to the Congress, so soon as it shall be convened, for the accomplishment of that important end. We herewith transmit to your Excellency a copy of this application, which we request may be laid before your Assembly at their next meeting. We take occasion to express our most earnest wishes, that it may obtain the approbation of *New-York*, and of all our sister States.

Signed by order and in behalf of the General Assembly,

JOHN JONES, S. S.

THO's. MATHEWS, S. H. D.

1. Printed: *Journal of the Assembly of the State of New-York* . . . (Albany, 1789), (Evans 22008) 25.

**565. Virginia Governor Beverly Randolph to New York Governor
George Clinton, Richmond, 2 December 1788¹**

Sir, I have the honor to enclose to your Excellency, a letter from the General Assembly of this State, covering copies of their circular letter to the several States and of their application to the Congress of the United States; which enclosures I

request the favor of you to lay before the Legislature of your State, as early as possible.

I have the honor to be, With great respect, Your Excellency's most obedient servant.

1. Printed: *Assembly Journal*, 25.

566. A Federalist who is for Amendments

New York Daily Advertiser, 22 November 1788¹

To the Printer of the *Daily Advertiser*.

Sir, I Observed, in your paper of the 17th, an extract of a letter from a gentleman at Newport, to the printers of the Hartford paper, with some remarks on the proceedings of the legislature of the state of Rhode-Island, in their late sessions.

It is not my design to vindicate the conduct of that state with respect to their paper money system; I believe it to be impolitic in the highest degree, at the same time I consider such scurrilous reflections on the conduct of a sovereign state, as indecent and scandalous, and calculated to inflame the passions and fix them in error, rather than to lead them to abandon them. But what is very extraordinary in this publication is, that it is said "*the assembly of Rhode-Island seem at present to be established in their proceedings by receiving governor Clinton's letter.*" At first view, one would suppose, from this writer's mode of expression, that governor Clinton had written to the legislature of Rhode-Island, advising and encouraging them to persist in their paper money system. But from what follows, it appears that he alluded to the circular letter agreed to by the convention of this state, inviting their sister states to unite in calling another general convention, to consider of and recommend amendments to the new constitution.—Why is this called governor Clinton's letter? It is true he signed it, but not in his private character, nor yet as governor, but by order of the convention—I ask again, what tendency had this letter to *establish and comfort* the legislature in their proceedings respecting the paper money, when it did not contain one word relating to it, nor do any of the amendments recommended, hold but the most distant idea in its favor?

This writer's reasoning upon the constitution, and amendments to it, is as extraordinary as what he says respecting governor Clinton's letter. He says that *the arguments in its favor, drawn from the proceedings of Rhode Island are the most powerful and uncontradictory of any that have yet been suggested*—It is this, Rhode-Island is against the constitution, therefore it is a good one, because Rhode-Island has done wrong in making paper money. Rhode-Island is in favor of amendments to the new constitution, therefore none ought to be made, because she has acted unjustly and impolitically in her paper system. If this writer has no better arguments to support his opinion in favor of the new government, very little dependence is to be placed upon him. Is it true, that because a man is wrong in one measure, or even in many, that he is wrong in all? at this rate any government might be proved good. No one can doubt but that Rhode Island

would oppose a hereditary despotism: but would it thence follow that it would be a good government? But my principal aim in taking notice of this publication, is to point out the conduct of a few individuals in different parts of the union, who are using all the means in their power to divert the minds of the good people of America from the subject of amendments. Most of those who were for adopting the new constitution in this state, declared in the most explicit terms that they wished for amendments; but they differed with a number of their fellow citizens who were opposed to its adoption with respect to the mode of obtaining them. They said, we will adopt it first, and procure the alterations in the mode prescribed in the constitution.—I was among those who were of this opinion, and it is evident that great part of the people of America were in this sentiment. This appears from the proceedings of the different conventions, as well as from other evidence. The convention of this state, though divided upon the question, whether they should adopt the constitution or not, a great majority were in favor of the amendments they recommended; and they were unanimously of opinion that some amendments were proper; and with one voice united that a revision of the system was necessary to recommend it to the approbation and support of a numerous body of their constituents, and earnestly exhort and request the legislature of the several states to take the earliest opportunity of making application for another convention, to meet at a period not far remote.

Similar language was held by the most of those who were in favor of the system previous to its adoption.

It is therefore an insult, not only upon the people of this state, but to a majority of the people of the United States, to treat the proposal of calling another convention with the contempt that this writer and some others have done.

Wisdom and sound policy dictate that the constitution should be revised, that it should be made conformable, as far as may be, to the wishes of all. It is impossible to support a free government, against which the sentiments of a great part of the people are opposed, and those who would attempt to do it, manifest a disposition unfriendly to equal liberty.

The constitution is adopted by small majorities in a number of the most important states; in several of them a confidence that their sister states would consent to unite in a revision of the system, and alter the exceptionable parts, was the prevailing inducement with a number to accede to it. This confidence was cherished by the express declaration of many of the advocates for its adoption, that they would cordially concur in endeavoring to procure a revision of the system. I hope none of those who made such professions will be guilty of such duplicity of conduct as to oppose the calling a convention to propose amendments.

I consider the man who pursues this conduct as promoting a measure that will produce discord, and perhaps convulsions, in the United States, and therefore, as acting the part of an enemy to his country.

1. On 21 November the *Daily Advertiser* promised that this essay “will appear in our paper to-morrow.”

567. Virginia Centinel, 12 November 1788¹

Should a majority of the states approve the Letter sent for their consideration by Governor Clinton, of New-York, another Convention to revise the Constitution will inevitably be the result.

1. Reprinted: *Kentucky Gazette*, 13 December.

**568. Francis Childs to Benjamin Franklin
New York, 7 December 1788 (excerpt)¹**

. . . I have just finished my Sketch of the Debates of our Convention, a Copy of which I have ordered to be left with Mr Bache for you, and hope it may come safe to hand.—This has employed me for the last three months.—

1. RC, Franklin Papers, American Philosophical Society.

**569. Governor George Clinton to John Dawson
12 December 1788 (excerpt)¹**

The letter of the legislature of Virginia is not yet received, and I am not without apprehensions that measures may be taken to retard the delivery of it so as to defeat its utility. You will not, I am persuaded, ascribe my suspicions on this occasion to an undue degree of jealousy when you recollect the circumstance respecting my letter which was laid before your convention. . . .

1. Printed: Moncure Daniel Conway, *Omitted Chapters of History Disclosed in the Life and Papers of Edmund Randolph* . . . (New York and London, 1888), 114–15.

570. Albany Gazette, 26 December 1788

Mr. Webster, A customer requests you to publish the following *imitation* of the extract of a letter, under the Virginia head, *inserted by particular desire*, in the Albany Gazette of the 19th inst. in order to shew how easy a matter it is to retort such malicious declamations; and, that all the good they can do, is to excite a contempt for their authors and their silly admirers.

Extract of a letter, &c.

“The writings of *Publius* have at last taken a turn this way. He tells us of many incredible things—but, allowing many to be in favor of the federal constitution in the state of New-York, let us enquire into the cause. There are in that state many men in high stations, possessed of great ambition and vanity, from _____, down to _____. Their connections and other expectants of places under the new government, have exerted their utmost diligence to mislead many honest well meaning men, though little acquainted with matters of government and politics, and to prejudice them in favor of the federal constitution. It is their invincible reluctance to part with their hopes of pre-eminence, pensions, sinecures and salaries, that has brought on these men their apprehensions, their disapprobation of the old confederation, and violent desire of forcing down the

new constitution. Had the constitution come from hell the case would have been the same, as it would operate so much to the interest of men of great ambition and vanity. Under the pretence of having the confidence, the approbation and the support of those good men whom they have misled, they have the modesty to dictate to the rest of the Americans, and aver, that nothing but the constitution in its present form, without the least alteration, will quiet the apprehensions of these worthy men whose principles they have poisoned," &c. &c.

Is it not an insult to common sense, to address the public with such loathsome jargon. The printers may be excuseable, for they find it frequently their interest, like the actors of plays, to furnish something for the taste of the canaille, especially when it is *particularly desired*. What greater injury can be done to the present state of politics, than to be continually blowing up the passions of parties, and preventing them from subsiding into that coalescence which is so devoutly to be wished. The writers of such scandalous invectives, are therefore the greatest enemies to our political welfare—and God knows the state of New-York, is infested with too many of them already, without importing their *farrago* from Virginia.

571. Jonathan Sayward Diary
York, Maine, 30 December 1788

I See governor Clinton of Nyork his speech to the assembly of that State, and by it and other ways, I suppose great opposition will be made to the compleating of the New Constitution, which I suppose if compleated will Render the States servile insignificant and will be to the congress what the towns are to the State and, consequently, Loose their Respect and importance. I was Latly told by a membbber of Congress that all our State Consolidated notes would die, in the Possessors hands just as the Continental paper bills had, and that our Ohio or Continentals Lands on whom the Congress had placed Such Confidence to Lessen the National debt had been held out, as a toy or boible to trap us Each but he Believed they would never answer any good or valuable purpose this being wrote my own private oppinion. I no more readily will believe it.

1. MS, Sayward Diaries, American Antiquarian Society, Worcester, Mass.

572. Cornelius C. Schoonmaker to Peter Van Gaasbeek
14 January 1789¹

Gentlemen

Our friends and patriot Mr. Greenleaf has attended at this place for some time with a view of obtaining an appointment from the Legislature to be the printer for this State a Resolution has passed the Assembly for that purpose and is now lying before the Senate to be Determined on, in which house from its being a Majority of Federalists there is not much Hopes of the Resolution in his favour if Mr. Greenleaf had Succeeded in obtaining the appointment it would have afforded him—much aid in carrying on the printing Business—which he is very Desirous to do and enabled him to establish a post to Ride on the West

Side of Hudsons River, if he should, win in the first Instance have had little more for his papers Subscribed for that Side of the River then would pay the post Riders. This however you will know considering his situation as a printer and the losses he has sustained in supporting of our Common Cause he cannot afford to Do he has Suggested to me the propriety of a Voluntary Subscription from Those who wish to maintain the freedom of the press, Thereby to Difuse usefull informations to and among the Citizens of This State as a Temporary expedition to enable him to prosecute the business of a printer to be continued until a Sufficient number may Subscribe for his papers to pay the expense of the Rider That Is Allowing four Shillings of the Sum Subscribed for each paper to be applied to Defraying the expense of the Rider, having no Doubt but that you'll agree with me in this that it is absolutely necessary to have an independent paper circulating in our County you'll redily perceive that unless the true friends to liberty will exert themselves to establish the circulation of Mr. Greenleafs papers, it is probable that he will be oblidge to give up the Business which as he is determined to call on you he will be better able to inform you of, therefore would recommend to you to confer with Mr. Greenleaf on this Subject, and fix with him on a Subscription in the manner proposed to continue so long only untill a Sufficient number may Subscribe to Defray the expense of the Rider— When we reflect on the federal Intrigues and Machinations to Cajole the free-men of this Country out of their natural and inherant Rights it must cause the Spirit of every friend to Liberty to oppose them and frustrate their Designs which can most effectually be done by the Circulation of a free and Independent paper Therefore intreat you to use your influence to obtain an Additional Subscription for the above purpose as it appears to be the only alternative left whereby we can have the papers duly Delivered. Assuring you that Whatever you do in the primesses shall be agreed to by your most

1. RC, Peter Van Gaasbeek Papers, Franklin Delano Roosevelt Presidential Library, Hyde Park, N.Y.

573. Troy, N.Y., Federal Herald, 19 January 1789¹

Copy of a Letter, from
 PETER W. YATES, Esq.
 To his *Friend* in the Country.
Dated Albany, 24th April, 1788.

“Dear Sir, I have, some days ago, wrote to you respecting the next election, and now again write to you, in hopes that you will do all in your power against the new constitution, which is *so dangerous to the rights and liberties of the people, and must cause additional heavy and burthensome taxes and end in tyranny and slavery*, and therefore, should not be adopted, unless previously amended. My dear sir, I know you have interest in your neighborhood, and hope you will exert it in favor of the delegates, senator and assemblymen named in the enclosed. Do not suffer yourself to be deceived by the merchants, who, it seems, will adopt a bad constitution, for the sake of trade. I have no objection against that part of it which respects trade, but there are so many *bad and dangerous clauses* in it, that

I would not for the sake of the merchants sacrifice the *rights and liberties of the people*. I shall depend on you to do your best endeavours—and that you will attend at the poll and prevail on my good old friend — to use his best interest.

P. S. It may be a good constitution for a *few great and rich men*, who expect offices and salaries under the new government; but it is a bad one for the *farmers and common people*—The power to make very Scotchman, Irishman and German, who comes over to this country pay *ten dollars*, is abominable. I think it enough that they must pay for their passage, and if this new constitution is adopted, it will tend to discourage the importation of foreigners very much.”

1. Reprinted: *New Hampshire Spy*, 3 February; *Vermont Gazette*, 4 February. The *Spy* commented on Yates’s letter:

If the person whose name is subscribed to the above letter denies his having written it, the original will be shewn to him. It is not published with intent to bring him out to public view, or for any purpose respecting him *personally*; it was necessary his name should appear that the purpose for which the letter is published might be fully answered.

The authority of it is one of the heads of the antifederal party in this county, and has, (as his own party term it,) *taken more paint* than any other man among them,—and this letter is produced to the public, to shew, what all the present talk about *the confidence of the great body of the people in the new constitution*, &c. really and truly is.

The great body of the people in this county have no confidence, it is said, in the new constitution.—Suppose the fact admitted—how is it to be accounted for? The answer is evident, if we suppose the great body of the people, *have a confidence* in such *things* as the above letter;—and if it is farther to be supposed, that their general sentiments are regulated by it, then it seems the constitution must be amended, by striking out all the clauses which *are dangerous to the rights and liberties of the people*, or which may *cause additional, heavy and burthensome taxes*, or which may *end in tyranny and slavery*, and also those clauses, in consequence of which it is rendered a good government only for *the great and rich*, and farther by making such alterations as that it will *be a good government for the farmers and common people*. —————

The power to lay an impost is also not to extend to laying an impost on slaves who may be imported.

When these amendments are duly made it is to be hoped there will be a general confidence in the new constitution, and consequently that it will operate well.

Whoever presumes to censure the act of writing such letters as the above will be aware, that an attempt will be made to justify it on this clear principle in morals “*T’other party have done as bad.*”

574. New York Daily Gazette, 26 January 1789¹

Extract of a letter from New-Port, (Rhode-Island) dated Jan. 12, 1789.

“I wish both branches not only of your legislature, but of all the legislatures would unite, and give the new constitution a fair trial: If upon experiment it should require any amendment, it might be easily made; where a love of union and harmony prevailed.

They who are afraid to be enslaved by the new system, may thereby perhaps discover the jealousy of freemen, but in my opinion they betray a want of the genuine spirit of liberty; for they who are possessed of this, (and I trust it still pervades the mass of the people) would not patiently submit to a constitution of government which in its operation should prove oppressive, but unite in proposing and effecting any necessary alterations.

Whether North-Carolina or this State will first embrace the new government, I cannot determine:—They both are actuated by pretty much the same motives:—The accursed paper money system is at the root, and poisons the fair tree of liberty. When our state debt is wiped away with paper, (and that will soon be effected, as you may see by the act of this State, published in the last Newport Herald^(a)) our wiseacres will, I fancy, begin to think more seriously of the ill consequences which will flow from their finally rejecting the new constitution;—and as the interval between next spring and next fall will afford much time for serious reflection, and some for the new constitution to operate, I will embrace your opinion, and hope that this State will not be the last in the Union.”

(a) See our Gazette of the 23d instant.

1. Reprinted: *Pennsylvania Herald*, 4 February; *Pennsylvania Journal*, 5 February.

**575. Cornelia Jones to Samuel Jones
New York, 27 January 1789 (excerpt)¹**

. . . I am much surprised at you for voting Greenleaf for state printer when you know he has proved himself a rogue. many of your friends of both parties think as I do about the matter. by all means be a federal and vote for the Constitution. dont be Obstinate. for government must soon take place or there will be great Confusion in the City. let it not be your fa[u]lt. I wish to see you very much my dear.

from your affectionate wife

1. RC, Misc. Mss. Box, Cornelia Jones Folder, NHi. She sent the letter to her husband attending the state legislature in Albany.

576. Connecticut Courant, 9 February 1789¹

It is said that the citizens of New-York, are completely refitting the federal Ship HAMILTON, in the finest order, for the purpose of conducting to the city of New-York, from the New-Jersey shore, the illustrious person who will be chosen President of the United States.

1. Reprinted: Philadelphia *Independent Chronicle*, 21 February.

**577. Comte de Moustier Journal
New York, 15 February, 9 March 1789¹**

The New York legislature, in which the Antifederalists have the majority, drafted a request to the new Congress to ask it for the convening of a new general convention. It sent this document to the other states to ask for their concurrence but with the exception of Virginia not one of them seems disposed to agree to this measure. Massachusetts has already preemptorily accounted for itself by declaring that it seemed dangerous to it to convene a new convention and that it was necessary to leave the task of statutes for amendments to Congress.

[9 March 1788] While New York does all that is in its power to annihilate a system which it has partly sanctioned, North Carolina is getting ready to join the new Confederation. Before adjourning, the legislature of that state recommended to its constituents the convening of a new convention and it is evident that it is in the interest of North Carolina to pursue the policy of neighboring states, since it has hardly any maritime commerce and that in separating from the Confederation, it would pay not only the duties put on in Virginia and South Carolina, but also the expenses of her own government.

1. MS, Extraits du Journal de M. de Moustier, Extraits des Papiers de La Legation de France aux Etats-Unis, Vol. I, Part II (4th Cahier), pp. 6–7, 8–9, Franklin Collection, Yale University.

**578. Peter Van Schaack to Henry C. Van Schaack
Kinderhook, N.Y., 22 February 1789¹**

MY DEAR HARRY:

I was made happy with your letter of the 15–18th instant by yesterday's stage, and thank you for your communications in the political line, and hope your presages respecting the residence of Congress will be verified. I look forward to the important event of the organization of the Federal Government, with sincere pleasure, and unless I egregiously mistake my own heart, it is a pleasure derived from the love of my country. Whether we shall in fact derive all those salutary effects which we hope for from the new government, and which the theory of it, I think, so well justifies, is yet a matter of speculation. If we have virtue in the execution of it equal to that which I verily believe animated the framers of it, there would be nothing to fear. But, alas! instead of men who will endeavor to act up to its spirit, and to give it a fair and liberal experiment, it is much to be feared that many will come within those walls for the very purpose of defeating or embarrassing it.

Let me recommend to you to attend closely to every proceeding of this great assembly. Read over and over again the Constitution, especially any clauses which may be the subject of argument and diversity of opinions; and you should revolve in your mind what passed at the Convention at Poughkeepsie, where your attendance was certainly not for amusement only. Mr. Silvester is held up as a candidate; he signified his wishes to the contrary, but at the same time declared that he conceived it the duty of every citizen, to give up his own inclinations to the voice of the people. If he succeeds in this anti-federal district, I shall be much deceived, though he will have many votes this year which he had not the last. I was talked of, but very early declared in explicit terms that I would *not* be held up. Indeed, I returned to my country with a fixed determination to keep out of public life. The instance of last spring was an exception to the rule, not an infraction of it. It was a peculiar case and justified by the *occasion*. I am persuaded that as a private citizen I can do more good than I could do in any official character. As to contested elections, my experience in England, as well as in my native country, has given me an abhorrence of them. In this State, where the mode of ballot is established by the Constitution, the iniquity practised in elections is a shocking violation of the very principles upon which that species of

voting is founded. I could dilate this subject by a train of reasoning, and a detail of facts which fully convince my mind.

Our sleighing I believe is about leaving us, which will make us very dull here; but I shall not regret a little respite. Solitude has its charms and its advantages. “*Nunquam minus solus, quam cum solus,*” said the old Philosopher. I can frequently say the same thing. Adieu! Believe me with affection and solicitude, Your sincere friend,

1. Printed: Henry C. Van Schaack, *The Life of Peter Van Schaack* (New York, 1842), 429–30.

**579. Nathaniel Barrell to George Thacher
York, Maine, 23 February 1789 (excerpt)¹**

. . . I am sorry the State of N York are so tardy or backward to promote their own interest. I fear they will repent when repentance cant serve them—they have too great a proportion of discontented powerful men among them, who seeme determind no system of government can satisfy them, unless they can have the management of it—some who were in power before the revolution took place, who think they see no chance of being employd again, who have been basely treated, stigmatized as Torrys, enemies to their country, some of these are so inveterate, that nothing short of the destruction of their country will satiate their revenge even tho they know, Sampson like, they themselves must be swallowd up in its ruins—history tells us this is not peculiar to our country, but in all ages, & all countrys, such men have been found. . . .

1. RC, Thacher Papers, Boston Public Library.

580. Israel Thompson: Travel Voucher, 27 February and 18 May 1789¹

◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

1. MS, Accession No. 4027, New York State Library.

**581. Lewis Morris: Payment For Expenses as Delegate to the
New York Convention, 3 March 1789¹**

◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

1. MS, Henry A. Willard Collection, DLC.

582. Isaac Roosevelt: Travel Voucher, 3 March 1789¹

◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

1. MS, Roosevelt Family Papers, Miscellaneous Series, RG 6, Franklin Delano Roosevelt Presidential Library, Hyde Park, N.Y.

583. New York Daily Advertiser, 5 March 1789

To prevent misrepresentation, and to remove jealousies attempted to be created by insidious and designing individuals, respecting the colours hoisted yesterday, on Federal Hall, a person well acquainted with the facts, takes the liberty of assuring his fellow citizens, that the colours displayed on the cupalo of that building, belonged to the Federal Ship Hamilton, and were not, as has been insinuated by the Antifederalists, French colours, erected over the Federal Standard. The appearance of their being white was owing to their having been exposed to a very heavy shower on the day of the Federal Procession, and the paint not having had sufficient time to dry.

584. New York Daily Advertiser, 9 March 1789 (excerpt)¹

. . . That the blank for the allowance to the secretaries of the late convention be filled up at 20s. . . .

1. This excerpt is from the debates in the New York Assembly, 24 February.

585. New York Daily Advertiser, 11 March 1789 (excerpt)¹

. . . On motion of Mr. Giles that the allowance for the services of the secretaries of the late convention of this state, should be 20s per day; after debates had thereon it passed in the negative. . . .

1. This excerpt is from the debates in the New York Assembly, 29 February.

586. A Citizen**Poughkeepsie Country Journal, 24 March 1789¹**

I Observe by the journals of the Convention of this State, that one of the amendments proposed to the new constitution is, that “no person shall be eligible to the office of President of the United State *a third time*.” This amendment in a little different shape was originally brought forward by Melancton Smith, and it was supported by the members from Dutchess county. The reasons given in the convention for this amendment, as far as my memory serves me, were to this effect—That a person in so high an office, by the influence of his station, of his voice in the appointment of offices, and of personal intrigue, would be likely in a short time to fix himself too firmly to be removed by the efforts of the independent—That he would thereby become dangerous to public liberty, and that a frequent rotation in such influential offices was most compatible with the safety and the genius of a republican government. Let us attend to the application of this history.

Governor Clinton has been *four times* successively elected our chief magistrate. In the opinion of almost all the community, who have any good means of information, he has accumulated a very large and opulent estate. In the opinion of a very considerable part of the community, he has acquired by means of his office, a dangerous influence and attachment—has devoted himself to a party

and not to the whole; and has carried that spirit into his administration in such a manner as greatly to discolor and dishonor it. In this temper of the times a new candidate is proposed—a man of popular and amiable manners—without property—of the same decided sentiments with the present governor as to the new constitution, but withal a man of impartiality and moderation.

What part have those gentlemen taken who were the promoters of that amendment to the new constitution? They have most generally come forward zealously and furiously as advocates for the election of governor Clinton A FIFTH TIME.

A question is now proposed for public consideration, whether those men are consistent with their principles?—

1. Reprinted: Lansingburgh *Federal Herald*, 30 March; New York *Daily Advertiser*, 3 April.

587. New York Daily Advertiser, 28 March 1789

A SERIES OF LETTERS *handed to the Printer,*
which will be published in succession.

LETTER XI.

New-York, March 6, 1789.

DEAR SIR, One of the circumstances stated to you in mine of the 26th of February, to shew that the Governor is unfriendly to the UNION, is that he prejudged and condemned the new Constitution before it was framed.

This fact has been long since given to the public; to which no other answer, that I have heard, has been made by his Excellency, or his friends, than that he as a citizen had a right to entertain and declare such sentiments as appeared to him proper. This is a position not to be denied; but it is equally undeniable that his constituents have as good a right to judge of the propriety of his opinions and conduct, and of the views by which they seem to be actuated.

While the Convention was sitting at Philadelphia, the Governor, I am well informed, made unreserved declarations of his opinion, that no good was to be expected from the appointment or deliberations of that body. That the most likely result was that the country would be thrown into confusion by the measure. That it was by no means a necessary one; as the confederation had not had a sufficient trial, and probably on more full experiment would be found to answer all the purposes of the Union.

Here we discover the clearest indication of a predetermined opposition in the mind of his Excellency. He is not a man governed in ordinary cases by sudden impulse. Though of an irritable temper, when not under the immediate influence of irritation, he is circumspect and guarded; and seldom acts or speaks, without premeditation and design.

Language of the kind I have mentioned, from him, clearly betrayed an intention to excite prejudices before hand against whatever plan should be proposed by the Convention. For such conduct, or for such an intention, no apology can be made. The United States conceived a Convention to be a proper and necessary expedient. They appointed one, this state concurring. Their deputies were ac-

tually assembled, and in deliberation. The step once taken, it became the duty of every good man to give the attempt a fair chance. It was criminal to endeavour to raise prepossessions against it. That very conduct might have led to the mischief predicted. It was certainly not his Excellency's fault that his predictions were not fulfilled. In all probability, if his whole party had been as pertinacious as himself, the confusion he foretold would now exist. But happily for the United States some of them were more prudent, and we are in peace.

The declarations of the Governor on this occasion fix upon him the charge of inconsistency. How can what he said in the instance in question be reconciled with his declaration in the Convention, "*that he had always lamented the feebleness of the Confederation?*"

Your's, with great regard,
H—— G——.

To —— ———. Esq. }
Suffolk County. }

588. Massachusetts Centinel, 28 March 1789

The opposers of the federal Constitution in New-York State, in one of their proposed *amendments* to that system, contend, "*That no person ought to be eligible to be more than TWICE elected President,*" &c. Yet these same geniuses, are now violent in their endeavours to obtain the reelection of Gov. CLINTON, who has already been FOUR times elected Governour of that State. *A notable instance this, of the consistency of party demagogues.*

589. Georgia Gazette, 11 June 1789

Some of the citizens of New York state have been recently benefited by the Federal Constitution, two runaway negroes belonging to inhabitants of that state having been apprehended in this town this week, and conducted back.

590. Boston Herald of Freedom, 4 December 1789

There has not, perhaps, appeared in this country a more elegant political writer than the Federalist. The numbers which have appeared under this signature, convince the understanding by irresistable argumentation, and charm the imagination with every ornament of the most beautiful style. From this source the politician may derive solid information in the science of politics in general—the federalist be established in his faith—the doubting be confirmed—and the antifederalist, who is so from principle, have every difficulty removed, and his mind irradiated with the clearest conviction of the propriety and expediency of the present federal government. Those who in all hazards are determined to be opposed to any system of government, are not the proper objects of dispassion-

ate and candid enquiry. They require arguments to be addressed to the heart rather than the understanding, to the will rather than the judgment. As a specimen of the Federalist's style, I have sent you the following—Speaking of the unfairness of the opposers of the Constitution, in imagining evils rather than proving that they will necessarily exist—he observes:

“The authorities of a magistrate, in few instances greater, and in some instances less than those of a Governour of Newyork, have been magnified into more than royal prerogatives. He has been decorated with attributes superiour in dignity and splendor to those of a king of Great Britain. He has been shewn to us with the diadem sparkling on his brow, and the imperial purple flowing in his train. He has been seated on a throne surrounded with minions and mistresses; giving audience to the envoys of foreign potentates, in all the supercilious pomp of majesty. The images of asiatic despotism and voluptuousness have scarcely been wanting to crown the exaggerated scene. We have been almost taught to tremble at the terrific visages of murdering Janissaries; and to blush at the unveiled mysteries of a future seraglio.”

FEDERALIST.

That the same disposition to call up the phantoms of a wild imagination, and to magnify defects, prevails now we shall not contend. We hope it does not; But that every man reposing proper confidence in the National government may see a security in the enjoyment of his person, his property and his liberty.

The following humorous affair took place lately at Londonderry:—Two gentleman came to Dr. Thom's tavern in the evening, on two very fine horses, and very well dressed—after dismounting and taking a drop of grog, one of them bantered the Dr. to swop horses; but as there was as much as 20, or 30*l.* difference, he was suspicious that all was not right—but as they pressed him to an exchange, he at last complied, and the difference was left to men, to whom the doctor gave the hint—the referees in a short time agreed that the gentleman should have *eight shillings* to boot, which was accepted—this, in some measure confirmed the Doctor's suspicion, he accordingly gave orders for a person to mount a horse, and after riding a little way to return, full speed, to knock, and make some enquiries—the Doctor in the mean time appeared to be busy in making their change—but the person employed, soon returned and knocked at the door, and at the Doctor's appearing at the door, enquiry was made whether two gentlemen had been there on horseback (at the same time describing the men and horses) but before an answer was given, the two gentlemen made a precipitate retreat out of a back-window into the woods, and left the Doctor in possession of the horses and *boot* into the bargain.

Tuesday last the Federal Court of Massachusetts district, was by law opened in this town before the Hon. Judge LOWELL. After the necessary oaths were administerd to the Attorney, Marshal, and Clerk, the Rev. Dr. *Stillman* addressed the Throne of Grace in a well-adapted prayer. There being no business before the Court it was adjourned according to law.

591. New York Daily Gazette, 1 July 1790¹

☞ SALE AT AUCTION,

THIS DAY, at two o'clock, P. M. without reserve, for the benefit of the original owners (the present holders having neglected to make good their agreements and thereby forfeited their title)

The ship New-Constitution,

Well built, and gilded on the head and stern, warranted sound in her timbers, except a *couple of planks*, which sprung yesterday, supposed to be on account of the attraction of the South Pole, and during the time that the crew were hoisting anchor to sail for Philadelphia.

N. B. Ten years credit will be given to any Virginianite, Pennsylvanianite, or Boobysite, from Maryland or North-Carolina; and those who may be desirous of treating at private sale are requested to call at the *Nocturnal Divan Room*, in Disunion-Street.

1. Reprinted: Philadelphia *Independent Gazetteer*, 3 July; Boston *Columbian Centinel*, 14 July; Northampton, Mass., *Hampshire Gazette*, 21 July; and *State Gazette of North Carolina*, 23 July.

**592. Richard Platt to Winthrop Sargent
New York, 9 July 1789 (excerpt)¹**

. . . Clinton you have heard is re-elected Governor, & the moment his Election was declared, he called our Legislature together & they are now in Session at Albany, with a Majority in both Houses of Federal Members—a strange alteration this, to be made in one year, in the minds of the people of the State; for last year at this time we could not send more than 19 federal Members to the Convention or Legislature, out of 65—and now we have an handsome majority. . . .

1. RC, Sargent Papers, MHi.

**593. George Lux to George Read
Baltimore, Md., 28 July 1789 (excerpt)¹**

. . . We have just got the account of the great change in the House of Delegates of N York, the late one, being 2 Antis to 1 Federal, & the present one 5 Federals to 3 Antis, in consequence of which, Senators are chosen, & very good ones. I know they are, although from the character I have heard of Mr. King, I could as then have wished to see him in the House of Delegates, his eloquence being better adapted to a popular than a select branch—I am also happy to learn, that Governour Clinton has abandoned his virulent opposition to the New Government, & become moderate & dispassionate—I have ever wished to see staunch Federals placed in the Senate, & that barrier to popular caprice being secured, I am for calling forth the ablest men into the House of Delegates, without reference to their political opinions—By the address of the Governour & Council of North Carolina to the President it is to be hoped, that State will speedily accede to the union, and if so, we can easily dragoon the State of Rhode Island

into proper measures, as we shall have the Towns of Newport & Providence to back us—I fear, lenient measures will not do with such a stiff-necked people, so immersed in dishonesty. . . .

1. RC, Richard S. Rodney Collection, Delaware Historical Society.

594. Samuel Davis Journal

New York, 16 September 1789 (excerpt)¹

. . . The Bowery or Bowling green is an oval plat, enclosed with a railing of Iron—the Pedestal on which formerly the statue of the King is in the Centre—on which now stands the Ship carried in procession when the Constitution was adopted. . . .

1. MS, Samuel Davis Journal, Journal of a Tour of Connecticut, MHi.

595. A Querist

New York Daily Advertiser, 13 April 1801

Sir, The great importance of choosing men of wisdom & virtue to fill the first Executive offices of the State is too generally understood to need illustration. Our citizens know the magnitude of the trust reposed in them by the constitution, and to discharge it faithfully, require only to be perfectly informed. On an occasion when it is our duty to select, and to select with discretion; we are not only led by inclination, but bound by obligation to inquire into the past life, present situation, and future hopes; the reputation, the integrity and the talents, of each of those from whom the selection must be made. Thus and thus only we shall be enabled to exercise the most inestimable prerogative of freemen without fixing dishonor on that Country and that Liberty which we hold so dear, by our own imbecility, extravagance or folly.

Our suffrages are at present solicited for several candidates by the two contending parties who have long agitated and at present almost convulse the State. Wishing to decide on their respective pretensions without prejudice or partiality, I shall venture, thro' you, to request a solution to certain doubts, which I am not otherwise able to obtain.

I do not at present, however, ask for information respecting Mr. Clinton, because his reputation has been so much handled and worn, and is so much impaired by frequent examination that most of the gilding and ornament with which it was formerly covered is worn off, and its real composition may now be pretty distinctly discerned. Nor shall I trouble you with questions concerning Mr. S. Van Rensselaer, since even his enemies admit that his character is irreproachable.—But of Mr. Jeremiah Van Rensselaer neither I, nor the public, know much, except on a certain anniversary, when zeal and intoxication compelled the magistrates of Albany to notice him; he seems to have shrunk from the public eye, and to have been veiled in the deepest obscurity. It may therefore be permitted to ask, upon what ground he is entitled to the second office in the power of the people to bestow. Has he performed any eminent services for which rewards may reasonably be expected from his country? If so; what are those ser-

vices? Have his fellow-citizens ever thought him worthy to be their representative? Or, if they have thus honored him; have they not afterwards withdrawn their favor and displaced him? Has he amassed great wealth, and how did he acquire it? Does he employ it like his name-sake, in deeds of charity and beneficence; or is it locked in his chest, burdensome to himself and useless to the community? Do his partizans speak truth, when they boast that upon this occasion those chests will be unlocked and his treasure employed to corrupt the votes of the electors? Is it true, as his opponents declare, that in him obstinacy alone [must?] compensate for the want of every mental endowment; and a headlong, indecent and vulgar party-zeal, atone for the absence of patriotism and every liberal virtue? Does he deserve the confidence of the people because he marched at the head of a mob, and in the presence of thousands, with his own hands committed to the flames the Constitution of the United States which they adopted? Will he be willing to swear obedience and support to that Constitution which he violently opposed, and thus openly insulted? If he should swear this, will he act with sincerity? What opinion is formed of him by those who know him best, his own family and his fellow-citizens of Albany? In short, has he ever performed one action reputable or useful to his country? Or, has he in any one instance, discovered talents adequate to the office which he aspires to? If so, what is that action, and that instance? I flatter myself, Mr. Editor, that some one will have the charity to answer these questions and to relieve me from the doubts which have been excited in my mind by the accounts which are circulating concerning this gentleman, a full knowledge of him is the more necessary since if Mr. Clinton should succeed, his age and *infirmities* render it not improbable that the Lieutenant Governor may be obliged to act in a much more arduous station than that to which he is elected.

THE NEW YORK CONVENTION
17 June–28 July 1788

These documents supplement the material printed in the New York volumes 4 and 5 and are organized under each day of the Convention as follows: (1) Convention Journal, (2) printed debates compiled by Francis Childs, (3) manuscript notes of debates and proceedings, motions, and other loose items, and (4) newspaper reports of the proceedings and debates. Items that cover more than one day are printed under the first day. Facsimiles are included where the reader will benefit from seeing how the original item was laid out or where the item is difficult to transcribe for printing.

596–599. New York Convention
Tuesday, 17 June 1788

596. Convention Journal, 17 June 1788¹

STATE OF NEW-YORK.
POUGHKEEPSIE, in the COUNTY OF DUTCHESS,
JUNE 17th, 1788.

Pursuant to concurrent resolutions of the Senate and Assembly of this State, of the thirty-first day of January and first day of February last, the Delegates chosen by the people of this State in the respective counties, to form a Convention to take into consideration the report of the Convention of the States lately assembled in Philadelphia, and the letter and resolutions which accompanied the same to Congress, and the resolution of Congress thereon, met in the Court-house in Poughkeepsie, in the county of Dutchess. The certificates of the Supervisors of the respective counties being read, it appeared that the following gentlemen were elected Delegates to form the Convention, viz.

From the City and County of New-York.

JOHN JAY,	ISAAC ROOSEVELT,
RICHARD MORRIS,	JAMES DUANE,
JOHN SLOSS HOBART,	RICHARD HARISON,
ALEXANDER HAMILTON,	NICHOLAS LOW,
ROBERT R. LIVINGSTON,	

From the City and County of Albany.

ROBERT YATES,	HENRY OOUTHOUT,
JOHN LANSING, Jun.	PETER VROMAN,

ISRAEL THOMPSON,
ANTHONY TEN EYCK,

DIRCK SWART.

From the County of Suffolk.

HENRY SCUDDER,
JONATHAN N. HAVENS,
JOHN SMITH,

THOMAS TREDWELL,
DAVID HEDGES.

From the County of Ulster.

GOVERNOR CLINTON,
JOHN CANTINE,
CORNELIUS C. SCHOONMAKER,

EBENEZER CLARK,
JAMES CLINTON,
DIRCK WYNKOOP.

From the County of Queens.

SAMUEL JONES,
JOHN SCHENCK,

NATHANIEL LAWRENCE,
STEPHEN CARMAN.

From the County of Kings.

PETER LEFFERTS,

PETER VANDERVOORT.

From the County of Richmond.

ABRAHAM BANCKER,

GOZEN RYERSS.

From the County of Westchester.

LEWIS MORRIS,
PHILIP LIVINGSTON,
RICHARD HATFIELD,

PHILIP VAN CORTLANDT,
THADDEUS CRANE,
LOTT W. SARLS.

From the County of Orange.

JOHN HARING,
JESSE WOODHULL,

HENRY WISNER,
JOHN WOOD.

From the County of Dutchess.

ZEPHANIAH PLATT,
 MELANCTON SMITH,
 JACOBUS SWARTWOUT,
 JONATHAN AKINS,

EZRA THOMPSON,
 GILBERT LIVINGSTON,
 JOHN D'WITT.

From the County of Montgomery.

WILLIAM HARPER,
 CHRISTOPHER P. YATES,
 JOHN FREY,

JOHN WINN,
 VOLKERT VEEDER,
 HENRY STARING.

From the Counties of Washington and Clinton.

ICHABOD PARKER,
 JOHN WILLIAMS,

ALBERT BAKER.

The Convention unanimously elected his Excellency George Clinton, Esquire, to be their President, and placed him in the chair accordingly.

The Convention appointed John Mc. Kesson and Abraham B. Bancker, to be their Secretaries.

David Barclay was appointed doorkeeper, James Pritchard, messenger, and Nicholas Power, printer to the Convention.

Ordered, That the doors of the Convention Chamber be open when the Convention are sitting.

The resolutions of the Senate and Assembly of the 31st day of January and first day of February last, were then read, and are in the words following, viz.

“*Whereas* the United States in Congress assembled, did on the 28th day of September last, unanimously resolve, “That the report of the Convention of the States lately assembled in Philadelphia, with the resolutions and letter accompanying the same, be transmitted to the several Legislatures, in order to be submitted to a Convention of Delegates chosen in each State by the people thereof, in conformity to the resolves of the Convention, made and provided in that case. Therefore

Resolved, as the sense of the Legislature, that the said report, with the said resolutions, and letter accompanying the same, be submitted to a Convention of Delegates to be chosen by the people of this State—that it be recommended to the people of this State, to choose by ballot, Delegates to meet in Convention for the purpose aforesaid—that the number of Delegates to be elected, be the same as the number of members of Assembly from the respective cities and counties—that all free male citizens of the age of twenty-one years, and upwards,

be admitted to vote, and that any person of that description be eligible—that the election be held on the last Tuesday in April next, at the same respective places where the elections for members of Assembly shall be held, and be continued by adjournment from day to day until the same shall be completed, not exceeding five days—that the inspectors who shall inspect the election for members of Assembly, be also inspectors of the election for Delegates—that the inspectors do also appoint two clerks, each of whom shall keep a poll-list of the electors for Delegates—that the inspectors do provide a box to receive the ballots for Delegates—that the poll books or lists shall after due examination and correction, be signed by the inspectors attending at the closing of the poll, and the clerks who shall have kept the same poll-books respectively, and then the box containing the ballots for Delegates, shall be opened, and the ballots therein contained, taken out, and without being inspected shall, together with the poll-books or lists for Delegates, be immediately put up under cover and enclosed, and the enclosure bound with tape, and sealed in such manner as to prevent its being opened without discovery; and the inspectors present at the closing of the poll, shall then put their seals, and write their names upon the same enclosure, and one of the inspectors then present, to be appointed by a majority of them, shall deliver the same enclosure, so sealed up as aforesaid, to the clerk of the County, without delay, who shall carefully preserve and keep the same unbroken and unopened, until the meeting of the persons who are to canvass and estimate the ballots therein contained, when he shall deliver the same enclosure unbroken and unopened to them—that the persons authorised by law to canvass and estimate the votes for members of Assembly, do also immediately after they shall have canvassed and estimated the votes to be taken at the elections to be held on the last Tuesday in April next, for members of Assembly, proceed to open the said enclosures containing the ballots for Delegates, and canvass and estimate the votes taken for Delegates, and when and as soon as they shall be able to determine upon such canvass or estimate, who by the greatest number of votes shall have been chosen for Delegates for the city or county, they shall determine the same, and thereupon without delay, make and subscribe with their own proper names and hand-writing, the requisite number of certificates of such determination, and cause one to be delivered to each of the persons so elected a Delegate, and that the said election and canvass, shall in every other respect not herein provided for, be conducted in like manner as is provided for by law, for holding elections for members of Assembly—that the Delegates so to be chosen, do meet in Convention at the Court-house in Poughkeepsie in the county of Dutchess, on the third Tuesday of June next—that the clerks of the Senate and Assembly, do forthwith after the Convention shall have assembled, deliver to them copies of the said report, and of the letter and resolutions which accompanied the same, to Congress, and of the said resolution of Congress—that the Delegates be allowed the same wages as the members of Assembly, and that it will be proper for the Legislature, at their next meeting, to provide for the payment thereof.

David Hopkins, Esquire, appeared and produced a certificate of the Supervisors of Washington county, that he was duly elected in the said county as a member of this Convention, which was read.

Ordered, That Mr. Hopkins do take his seat.

Ordered, That the business of this Convention be opened every morning with prayer; and that Mr. Duane and Mr. G. Livingston, be a committee to wait on the gentlemen of the clergy in the precinct of Poughkeepsie, and request them to make such arrangements among themselves, that one of them may attend daily for that purpose.

Ordered, That a committee of five members be appointed by ballot, to report rules and regulations for conducting the business of this Convention.

The ballots being taken and told, it appeared that Mr. Duane, Mr. Jones, Mr. R. Morris, Mr. Lansing and Mr. Haring, were elected.

Ordered, That those five gentlemen be a committee for that purpose.

Then the Convention adjourned until eleven of the clock to-morrow morning.

1. Printed: *Journal of the Convention of the State of New-York; Held at Poughkeepsie; in Dutchess County, the 17th of June, 1788* (Poughkeepsie, 1788) (Evans 21313), 3–7 (Hereafter cited as *Convention Journal*).

597. Convention Debates, Tuesday, 17 June 1788¹

On the 1st of February 1788, the Legislature of the state of New-York passed a resolution in the words following, to wit,

“*Whereas* the United States in Congress assembled, did on the 28th day of September last, unanimously resolve, ‘That the report of the Convention of the States lately assembled in Philadelphia, with the resolutions and letter accompanying the same, be transmitted to the several Legislatures, in order to be submitted to a Convention of Delegates chosen in each State by the people thereof, in conformity to the resolves of the Convention, made and provided in that case[’]—Therefore

“*Resolved*, as the sense of the Legislature, that the said report, with the said resolutions and letter accompanying the same, be submitted to a Convention of Delegates to be chosen by the people of this State—that it be recommended to the people of this State, to choose by ballot, Delegates to meet in Convention for the purpose aforesaid—that the number of Delegates to be elected, be the same as the number of members of Assembly from the respective cities and counties—that all free male citizens of the age of twenty-one years, and upwards, be admitted to vote, and that any person of that description be eligible—that the election be held on the last Tuesday in April next, at the same respective places where the elections for members of Assembly shall be held, and be continued by adjournment from day to day until the same shall be completed, not exceeding five days—that the inspectors who shall inspect the election for members of Assembly, be also inspectors of the election of Delegates—that the inspectors do also appoint two clerks, each of whom shall keep a poll-list of the electors for Delegates—that the inspectors do provide a box to receive the ballots for Delegates—that the poll books or lists shall after due examination and correction, be signed by the inspectors attending at the closing of the poll, and the clerks who shall have kept the same poll-books respectively, and then the box containing the ballots for Delegates, shall be opened, and the ballots therein contained, taken out, and without being inspected shall, together with the poll-

books or lists for Delegates, be immediately put up under cover and enclosed, and the enclosure bound with tape, and sealed in such manner as to prevent its being opened without discovery; and the inspectors present at the closing of the poll, shall then put their seals, and write their names upon the same enclosure, and one of the inspectors then present, to be appointed by a majority of them, shall deliver the same enclosure, so sealed up as aforesaid, to the clerk of the county, without delay, who shall carefully preserve and keep the same unbroken and unopened, until the meeting of the persons who are to canvass and estimate the ballots therein contained, when he shall deliver the same enclosure unbroken and unopened to them—that the persons authorised by law to canvass and estimate the votes for members of Assembly do also, immediately after they shall have canvassed and estimated the votes to be taken at the elections to be held on the last Tuesday in April next, for members of Assembly, proceed to open the said enclosures containing the ballots for Delegates, and canvass and estimate the votes taken for Delegates, and when and as soon as they shall be able to determine upon such canvass or estimate, who by the greatest number of votes shall have been chosen for Delegates for the city or county, they shall determine the same, and thereupon without delay, make and subscribe with their own proper names and hand-writing, the requisite number of certificates of such determination, and cause one to be delivered to each of the persons so elected a Delegate, and that the said election and canvass, shall in every other respect not herein provided for, be conducted in like manner as is provided for by law, for holding elections for members of Assembly—that the Delegates so to be chosen, do meet in Convention at the Court-house in Poughkeepsie in the county of Dutchess, on the third Tuesday of June next—that the clerks of the Senate and Assembly, do forthwith after the Convention shall have assembled, deliver to them copies of the said report, and of the letter and resolutions which accompanied the same to Congress, and of the said resolution of Congress—that the Delegates be allowed the same wages as the members of Assembly, and that it will be proper for the Legislature, at their next meeting, to provide for the payment thereof.”

In pursuance of the above Resolution, an election was held in the several Counties, and the following Gentlemen were returned:

From the City and County of *New-York*.

JOHN JAY,	ISAAC ROOSEVELT,
RICHARD MORRIS,	JAMES DUANE,
JOHN SLOSS HOBART,	RICHARD HARRISON,
ALEXANDER HAMILTON,	NICHOLAS LOW.
ROBERT R. LIVINGSTON,	

From the City and County of *Albany*.

ROBERT YATES,	ISRAEL THOMPSON,
JOHN LANSING, JUN.	ANTHONY TEN EYCK,
HENRY OTHOUDT,	DIRCK SWART.
PETER VROMAN,	

From the County of *Suffolk*.

HENRY SCUDDER,	THOMAS TREDWELL,
JONATHAN N. HAVENS,	DAVID HEDGES.
JOHN SMITH,	

From the County of *Ulster*.

GOVERNOR CLINTON,	EBENEZER CLARK,
JOHN CANTINE,	JAMES CLINTON,
COR. C. SCHOONMAKER,	DIRCK WYNKOOP.

From the County of *Queens*.

SAMUEL JONES,	NATHANIEL LAWRENCE,
JOHN SCHENCK,	STEPHEN CARMAN.

From the County of *Kings*.

PETER LEFFERTS,	PETER VANDERVOORT.
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From the County of *Richmond*.

ABRAHAM BANCKER,	GOZEN RYERSS.
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From the County of *Westchester*.

LEWIS MORRIS,	PHILIP VAN CORTLANDT,
PHILIP LIVINGSTON,	THADDEUS CRANE,
RICHARD HATFIELD,	LOTT W. SARLS.

From the County of *Orange*.

JOHN HARING,	HENRY WISNER,
JESSE WOODHULL,	JOHN WOOD.

From the County of *Dutchess*.

ZEPHANIAH PLATT,	EZRA THOMPSON,
MELANCTON SMITH,	GILBERT LIVINGSTON,
JACOBUS SWARTWOUT,	JOHN D'WITT.
JONATHAN AKINS,	

From the County of *Montgomery*.

WILLIAM HARPER,	JOHN WINN,
CHRISTOPHER P. YATES,	VOLKERT VEEDER,
JOHN FREY,	HENRY STARING.

From the County of *Columbia*.

PETER VAN NESS,	MATTHEW ADGATE.
JOHN BAY,	

From the Counties of *Washington* and *Clinton*.

ICHABOD PARKER,	ALBERT BAKER,
JOHN WILLIAMS,	DAVID HOPKINS.

The Convention having accordingly assembled, on the 17th of June, unanimously elected his Excellency GEORGE CLINTON Esq. President. After appointing the proper subordinate officers, and having ordered that the doors should be kept open, and the business of the Convention opened every morning with prayer, Mr. *Duane*, Mr. *Jones*, Mr. *R. Morris*, Mr. *Lansing*, and Mr. *Haring* were chosen a committee to report rules for conducting the business.

1. Printed: *The Debates and Proceedings of the Convention of the State of New-York, Assembled at Poughkeepsie, on the 17th June, 1788. To Deliberate and Decide on the Form of Federal Government Recommended by the General Convention at Philadelphia, on the 17th September, 1787. Taken in Short Hand* (New York, 1788) (Evans 21310), 3–5 (Hereafter cited as Childs, *Debates*).

598. John McKesson Notes of Debates, 17 June 1788¹

Mr Duane

I move that the Convention be opened every morning with Prayer and that ~~the Gentlemen~~ of a Committee be appointed to wait on the Gentlemen of the Clergy

Mr. Duane & } Committee
Mr. G Livingston }

Mr. Mel Smith Moved that a Committee be appointed to Draw up Rules for the Government of the Convention

Ordered that Mr. Duane Mr. Jones Mr. R Morris Mr. Lansing and Mr. Haring be a Committee for that purpose

On Motion of Mr. Lansing the Resolutions of the Legislature of the 31st of Jany & 1st. of Feby were read—

Ordered that the Business of this ~~House~~ Convention be opened every morning with Prayer and that Mr. Duane and Mr. G. Livingston be a Committee to wait on the Gentlemen of the Clergy in the Precinct of Poughkeepsie and request them to make such arrangements among themselves that one of them may attend daily for that purpose—

[Endorsement on back of the above]

Mr. Duane's motion that the Convention be opened every day by Prayers

1. MS, McKesson Papers, NHi.

599 A–I. Newspaper Reports of Convention Debates, 17 June 1788

599-A. *Poughkeepsie Country Journal*, 17 June¹

This day the Convention of this State meet at the Court-House in this place, for the purpose of adopting or rejecting the New Constitution.

Sunday morning [15 June] arrived Capt. North, in 24 hours from New-York, with whom his Excellency the Governor, and a number of other gentlemen, Members of the Convention, came passengers—and in the afternoon arrived Capt. Mott, with his Honor the Mayor of New-York, and others, also Members of Convention.

1. Reprinted: *New York Journal*, 20 June.

599-B. *Albany Gazette*, 19 June¹

We learn from Poughkeepsie, that the convention of this state met at that place on Tuesday last, that his excellency the governor was elected president—that the convention had appointed their necessary officers, and a committee to draw up the rules for the conduct of the house—that on the day following (yesterday) the convention would resolve itself into a committee of the whole on the constitution—and, that there appeared to be a disposition in most of the members to discuss the constitution thoroughly.

1. *Albany Gazette* is not extant; transcribed from *Federal Herald*, 23 June 1788, the only reprint.

599-C. *New York Journal*, 19 June¹

☞ Just as this paper was going to press the following interesting intelligence was received.

Extract of a letter from Poughkeepsie, dated June 17, 1788.

“At 12 o’clock this day, 51 members of the Convention assembled at the Court-house. His EXCELLENCY the GOVERNOR was appointed *President*.—They then proceeded to ballot for a committee to prepare rules for their government as deliberative assembly, and thereupon Mr. Lansing, Mr. Jones, Mr. Haring, Mr. Duane, and Mr. Richard Morris, were chosen. They then adjourned till tomorrow 10 o’clock.”

1. Reprinted in the *Hudson Weekly Gazette*, 24 June, and in twenty-one out-of-state newspapers by 12 July: N.H. (1), Mass. (3), R.I. (2), Conn. (4), Pa. (8), Md. (1), Va. (2).

599-D. *New York Packet*, 20 June¹

We learn from Poughkeepsie, that His Excellency Governor Clinton is appointed President of the Convention of this State. And that Mr. Lansing, Mr. Jones, Mr. Haring, Mr. Duane, and Mr. Richard Morris, were chosen a committee to prepare rules for their government, as a deliberative Assembly.

1. Reprinted: New York *Impartial Gazetteer*, 21 June; *Connecticut Journal*, 25 June.

599-E. *New York Daily Advertiser*, 23 June¹

CONVENTION of NEW-YORK.

POUGHKEEPSIE, June 17, 1788.

This day being appointed for the meeting of the Convention, the following gentlemen appeared as Representatives for the Counties, to which their names are annexed respectively.

NEW-YORK.	ORANGE.
James Duane	John Haring
R. R. Livingston	Jesse Woodhul
Richard Morris	— Wood.
John Sloss Hobart	ULSTER.
Alexander Hamilton	Governor Clinton
Isaac Rosevelt	Dirck Wynkoop
Richard Harrison	C. C. Schoonmaker.

Nicholas Low.	DUCHESS.
QUEEN'S.	Gilbert Livingston
Samuel Jones	Melancton Smith
Nathaniel Lawrence	Jacobus Swartwout
Stephen Carman	Ezra Thompson
John Schenck.	John De Witt.
KING'S.	ALBANY.
Peter Vandervoort.	Robert Yates
SUFFOLK.	John Lansing, jun.
Thomas Tredwell	Henry Oothoudt
Jonathan N. Havens	Peter Vrooman
John Smith	Dirck Swart.
David Hedges.	WASHINGTON.
RICHMOND.	John Williams
Gozen Ryerss	David Hopkins
Abraham Bancker.	Ichabod Parker
WESTCHESTER.	Albert Baker.
Lewis Morris	MONTGOMERY.
Philip Van Cortlandt	John Frey
Philip Livingston	William Harper
Richard Hatfield	John Winn
Lott Sarls.	Volkert Veeder
	Christopher P. Yates.

There being a sufficient number to proceed to business, his Excellency GEORGE CLINTON, Esq. was chosen President of the Convention.

John M'Kesson and Abraham Bancker, Esquires, secretaries; Mr. David Barclay, door keeper; and Mr. James Pritchard, messenger.

An order was made that the Clergy in Poughkeepsie be applied to, to open the House with prayers every morning.

A committee consisting of Mr. Duane, Mr. Jones, Mr. Morris, Mr. Lansing and Mr. Haring, were appointed to essay rules for the government of the House.

The resolutions of the Senate and Assembly for calling the Convention were read.

On motion, the House adjourned till 11 o'clock to-morrow morning.

1. Reprinted: *New York Packet*, 24 June; *Pennsylvania Packet*, 27 June.

599F. *Country Journal*, 24 June (excerpt)

On Tuesday last being the day appointed for the meeting of the convention of this State, they assembled at the Court-house in this place, and elected his Excellency Governor Clinton their President. . . .

599-G. *New York Independent Journal*, 25 June¹

On Tuesday the 17th inst. the Convention of this State met at Poughkeepsie, and chose for President his excellency GOVERNOR CLINTON. They afterwards resolved to discuss the constitution by paragraphs in a committee of the whole house, and not to vote upon any article till they were prepared for the final question.

1. Reprinted: Providence, R.I., *United States Chronicle*, 3 July; *Providence Gazette*, 5 July; *Virginia Norfolk and Portsmouth Journal*, 5 July.

599-H. *New York Journal*, 26 June

In order to give our generous patrons, and the public, as extensive a view as possible of the American (as well as European) politics, at this interesting juncture, we have this day struck off a JOURNAL EXTRAORDINARY.

The important intelligence, arrived yesterday from New-Hampshire, some accounts from Virginia, &c. see 1st and 2d column of the 3d page.

Here follows the proceedings (from their first setting, to the 21st) of the
NEW-YORK STATE CONVENTION,
At Poughkeepsie.

June 17. There being a sufficient number present to proceed to business, the president, and a committee to prepare rules for the government of the convention, were appointed, as see last Thursday's paper—Also John M'Kisson, and Abraham Bancker, Esquires, were chosen secretaries, Mr. D. Barclay, door-keeper, Mr. J. Pritchard, messenger, and the clergy of Poughkeepsie were appointed to open the house with prayers every morning.

Adjourned until to-morrow.

June 18. Other members attended. The committee reported rules, which were agreed to.

The constitution was read, and it was resolved, on motion of Mr. Lansing, the convention will, to-morrow, resolve itself into a committee of the whole, to take into consideration the constitution, and the papers accompanying.

Mr. Nicholas Powar was appointed printer, and it was ordered, that the secretaries have the journal of convention published daily.

Adjourned until to-morrow.

599-I. *New York American Magazine*, 30 June¹

The Convention of this State met on the 17th instant, appointed his Excellency Governor Clinton President, and determined to discuss the Constitution by paragraphs. It is with pleasure we observe good temper, and candor prevailing in that body.

1. Printed in the June issue on p. 509.

600–602. New York Convention
Wednesday, 18 June 1788

600. Convention Journal, 18 June 1788¹

An excerpt of this day's journal is printed in RCS:N.Y., 1679–81n. For the omitted material, see this facsimile of the complete journal entry.

◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

1. Printed: *Convention Journal*, 7–24.

601. Convention Debates, 18 June 1788¹

Next day the Committee of Regulations brought in their report, on which the following resolves were passed, viz.

1st. That at the meeting of the Convention each day, the minutes of the preceding day shall in the first place be read, at which time mistakes, if any, shall be corrected.

2d. That all motions and addresses be made to the chair, and standing.

3d. That every motion made and seconded, except motions for adjournment, shall be handed to the chair in writing, and there read before any debate or question taken thereon.

4th. That upon every question taken, the yeas and nays shall be entered, if requested by any two members.

5th. That if two members rise to speak, and there shall be a dispute which of them rose first, it shall be determined by the President.

6th. That no interruption shall be suffered while a member is addressing the chair, but by a call to order by the President, or by a member thro' the President.

7th. That no member be referred to by name in any debate.

8th. That if any member shall transgress the rules a second time, the President may refer to him by name. That the Convention may examine and censure the member's conduct, he being allowed to extenuate or justify.

9th. That any member making a motion, may withdraw it before the question is put thereon; after which any other member may renew the same motion, if he thinks proper.

10th. That the appointment of all committees shall be by ballot.

11th. That none be admitted within the bar, excepting the members and secretaries.

12th. That the preceding rules shall be observed when the Convention resolves itself into a committee of the whole.

The Constitution reported by the General Convention was then read, together with the resolutions and letter accompanying the same to Congress, and the resolve of Congress thereon.—After which the Convention on motion of Mr. *Lansing* agreed to resolve itself the succe[e]ding day into a committee of the whole.

1. Childs, *Debates*, 5–6.

602 A-B. Newspaper Reports of Convention Debates, 18 June 1788

602-A. *New York Daily Advertiser*, 23 June¹

Wednesday, June 18.

The Convention met pursuant to adjournment.

The Members from Columbia county, Mr. Jay from New-York, and several other gentlemen attended and took their seats.

Mr. Duane, from the Committee appointed to form rules for the government of the Convention, reported the following:

RULES and REGULATIONS for the Convention.

1st. At the meeting of the Convention each day, the minutes of the preceding day shall in the first place be read, at which time mistakes, if any, shall be corrected.

2d. That all motions and addresses be made to the chair, and standing.

3d. That every motion made and seconded (except motions for adjournment) shall be handed to the chair in writing, and there read before any debate or question taken thereon.

4th. That upon every question taken, the Yeas and Nays shall be entered, if requested by any two Members.

5th. That if two Members rise and speak, and there shall be a dispute which of them rose first, it shall be determined by the President.

6th. That no interruption shall be suffered while a Member is addressing the chair, but by a call to order by the President, or by a Member thro' the President.

7th. No Member to be referred to by name in any debate.

8th. If any Member shall transgress the rules a second time, the President may refer to him by name; the Convention may then examine and censure the Member's conduct, he being allowed to extenuate or justify.

9th. That any Member making a motion may withdraw it before the question is put thereon; after which any other Member may renew the same motion if he thinks proper.

10th. That the appointment of all Committees be by ballot.

11th. That none be admitted within the Bar, excepting the Members and Secretaries.

12th. That the preceding rules shall be observed when the Convention resolve itself into a Committee of the whole.

Which being severally read, were agreed to.

The Constitution being read;

On motion of Mr. Lansing, it was resolved, that the Convention will, tomorrow, resolve itself into a Committee of the whole, to take into consideration the new Constitution, and the papers accompanying the same.

Mr. Nicholas Power was appointed printer to the Convention.

It was ordered, that the Secretaries have the Journal of the Convention published daily.

Adjourned till 10 o'clock to-morrow morning.

(To be Continued.)

1. Reprinted: *New York Packet*, 24 June; *Pennsylvania Packet*, 27 June; *Lansingburgh Federal Herald*, 30 June.

602-B. New York Journal, 26 June

June 18. Other members attended. The committee reported rules, which were agreed to.

The constitution was read, and it was resolved, on motion of Mr. Lansing, the convention will, to-morrow, resolve itself into a committee of the whole, to take into consideration the constitution, and the papers accompanying.

Mr. Nicholas Power was appointed printer, and it was ordered, that the secretaries have the journal of convention published daily.

Adjourned until to-morrow.

**603–604. New York Convention
Thursday, 19 June 1788**

603. Draft of Robert R. Livingston's Resolution, 19 June 1788¹

Livingston proposed that no question should be put until the entire constitution was discussed (RCS:N.Y., 1688).

◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

1. MS, McKesson Papers, NHi.

604 A–E. Newspaper Reports of Convention Debates, 19 June 1788

604-A. Lansingburgh Federal Herald, 23 June

Extract of a letter from a gentleman in Poughkeepsie to his friend in Albany, dated Friday June 20.

“Wednesday the constitution was read, and a motion made by Mr. Lansing, that the convention form themselves into a committee of the whole, and take up the constitution to-morrow—A committee is appointed to desire the clergy in the vicinity of this place to pray every morning with the convention, and rules agreed on to be observed by the house.

[“]Thursday, after prayers, the president took the chair, and a motion made to go in committee. Mr. Harper then moved, that Mr. Henry Oothoudt be chairman;—the constitution was then read, after which the chancellor rose and spoke better than an hour, and concluded with making the following motion:—

[“]Resolved, that no questions, general or particular, shall be put in this committee upon the proposed constitution of government for the United-States, or upon any clause or article thereof, *nor upon any amendment which may be proposed thereto*, until after the said constitution, *and amendments*, shall have been considered clause by clause.’

[“]This motion was agreed to without a division. Adjourned till 10 o’clock to-morrow. It is probable the convention will sit three or four weeks. Almost every member attends. Mr. Childs is here, and takes down the debates, which will make a regular appearance in his paper.[”]

604-B. *New York Journal*, 23 June¹

Extract of a letter from Poughkeepsie, dated June 20.

“Yesterday the Chancellor made the opening speech. The great objects of which were to shew the defects of the general government, and the necessity, therefore, of a new one—that is, the present proposed one. *Confederacies*, in general, were reprobated—as instances of *weakness* and imperfections. The calamities of war were painted in glowing colours, as the result to this state, if they refused to receive the Olive Branch, to wit—the New Constitution.—Our ports were open to the south for invaders—the Savages and the British were on our west; in short, *Heaven, armed with the elements*, was ready to pour down *vengeance*; state officers were requested to *divest* themselves, in the consideration of this business, of their attachment to their *dignity* and *interests*,—after which the Convention adjourned until this morning, when they proceeded to debate the subject by clauses. No debate ensued until they arrived at the clause relative to the *appointment, and increase of representation*, in which Mr. Lansing, the Chancellor—briefly, Mr. Smith and Mr. Hamilton engaged.—Mr. Smith preceded the argument, on this head, with general observations on the Chancellor’s speech of yesterday, in which he corrected him for his *insinuations* relative to the *suggestion of bias* on state officers; took off the force of his observation on the necessity of *adopting the present plan in toto*, and descanted on some historic facts, which he had recited in his speech of yesterday.—He then came to the ground of the argument, and in a clear and argumentative manner, delivered his opinion on that clause, to which Mr. Hamilton replied. Mr. Smith then proposed an amendment, which lies over for consideration until to-morrow.”

1. Reprinted in seven newspapers by 24 July: N.J. (1), Pa. (4), Va. (1), S.C. (1).

604-C. *Poughkeepsie Country Journal*, 24 June¹

On Tuesday last being the day appointed for the meeting of the convention of this State, they assembled at the Court-house in this place, and elected his Excellency Governor Clinton their President. After preparing and agreeing on rules for the regulation of their debates, they on Thursday resolved themselves into a committee of the whole house, and entered on a discussion of the constitution by paragraphs; they agreed to take no final question until the whole was discussed.

Mr. Chancellor Livingston opened the debates by a very elegant address to the House. He pointed out the necessity of Union to this State, in particular from its peculiar local situation.—He traced generally the leading and radical defects of the existing Confederation, and inferred strongly the magnitude and

importance of the question then to be considered, and the propriety and even duty of divesting themselves of every preconceived prejudice, and of examining with the utmost coolness, moderation and candor.

(The 2d section of the 1st article of the Constitution, gave rise to a very long and interesting debate.—Mr. M. Smith and Mr. Lansing, were the principal speakers in oposition to the paragraph, and Mr. Hamilton in its defence.—It is not to be expected that we can give our readers the arguments in detail that were used; we can only say that it was attacked on the one side, with much spirit and ingenuity, and advocated on the other, with equal ability and address. On one side it was contended, that the mode of apportionment of the number of representatives in each state by including three fifths of the negroes, was both unequal and unjust—that the number of representatives was too small to be safe, and that we had not sufficient security that the number would ever be encreased.

On the other hand it was inforced, that including three fifths of the negroes in the apportionment of the number of representatives, was the result of accommodation with the southern States—that an union with them was never to be expected on any other terms, and that as the negroes were equally considered when taxes were to be assessed, the southern States felt the burden as well as the advantage of them, and that the mode was not therefore partial or unjust.—It was contended also, that the paragraph clearly contemplated a gradual increase in proportion to the population of the country—that the design of the census was for that purpose—that the interest of the majority of the national legislature would lead them to make the requisite increase, and that the total number as it now stands under our present circumstances, and as it would be in a very short time from our rapid increase, would be sufficiently numerous for all the purposes of a good government, and at the same time entirely safe to the liberties of the people.

The debates on this paragraph continued through the course of the week.)

1. The text in angle brackets was reprinted in the *New York Journal* on 27 June.

604-D. *New York Independent Journal*, 25 June¹

(On Thursday Mr. Chancellor Livingston introduced the deliberations of the convention by a pertinent speech of considerable length, in which he stated the defects of the existing constitution, the necessity of material alterations, and the nature and tendency of the constitution now offered for adoption. On Friday Mr. Lansing answered the chancellor with general remarks, in which he endeavoured to prove that the present confederation is not so totally inadequate to the purposes of our union, as had been represented; that these states are too extensive to be united under the same government, and that the proposed constitution is not calculated to secure the liberties of the people. Mr. Melancton Smith then moved that the committee should proceed to debate upon the constitution by paragraphs; and the first and second sections of the first article were read. The first section and the two first clauses of the second, passed without any objections. Mr. Smith objected to the third clause, which states the principles and proportion of representation in the proposed house of representatives.) After much declamation by way of general remarks, he attempted to prove that slaves should not

be represented and that the whole representation is too small. Mr. Smith was answered by Mr. Hamilton, who, in a speech of an hour and a half, stated the reasons which governed the convention in apportioning the representation, proved clearly that the system is as little objectionable in this particular, as can be formed, and assured the committee that the southern states would not accede to any plan of representation which should not allow part of their slaves to be deemed *persons*. No reply was made to Mr. Hamilton's arguments on this clause.

1. The text in angle brackets was reprinted in the *Virginia Norfolk and Portsmouth Journal*, 9 July. The Norfolk paper condensed the remainder of the item as follows: "Mr. Smith's arguments are fully confuted by Mr. Hamilton."

604-E. Poughkeepsie Country Journal, 26 August

Extracts from the Journals of the late Convention.

From the 20th of June to the 25th of July, the Convention met daily, and resolved itself into a committee of the whole, from which Mr. Oothoudt reported, that they had made further progress in the business before them. Mr. Oothoudt, on the day last mentioned, made a general report of their proceedings, which being read, is as follows, viz.

That on the 19th day of June last past, on motion of Mr. R. Livingston, it was, Resolved, That no question, general or particular, should be put in the committee upon the proposed constitution of government for the United States, or upon any clause or article thereof, nor upon any amendment which shall be proposed thereto, until after the said constitution and amendments should have been considered clause by clause.

That the said proposed constitution of government having been read, was considered and debated by clauses, and afterwards sundry amendments were proposed thereto from day to day, until the eleventh day of July instant. On which day Mr. Jay moved for the following resolution, viz.

"Resolved, as the opinion of this committee, that the constitution under consideration, ought to be ratified by this Convention.

"Resolved further, as the opinion of this committee, that such parts of the said constitution as may be thought doubtful, ought to be explained, and that whatever amendments may be deemed useful, or expedient, ought to be recommended."

That debates were had on the said motion from day to day, (Sundays excepted) until the 15th day of July.

605. New York Convention
Friday, 20 June 1788

605. Convention Journal, 20 June 1788¹

FRIDAY, 10 o'Clock, A. M.
JUNE 20th, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothoudt reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until ten of the clock to-morrow morning.

1. Printed: *Convention Journal*, 25.

606–608. New York Convention
Saturday, 21 June 1788

606. Convention Journal, 21 June 1788¹

SATURDAY, 10 o'Clock, A. M.
JUNE 21st, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothoudt reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until Monday next at ten of the clock in the forenoon.

1. Printed: *Convention Journal*, 26.

607. Manuscript Convention Journal (Smooth Copy), 21 June 1788¹

The third Paragraph of the 2d Section of the first Article having been read and considered Mr. M. Smith as an Amendment proposed the following Resolution—

Resolved that it is proper that the Number of Representatives be fixed at the Rate of one for every twenty Thousand Inhabitants to be ascertained on the

Principles mentioned in the second Section of the first Article of the Constitution until they amount to three hundred, after which they shall be apportioned among the States in Proportion to the Number of the Inhabitants of the States respectively—And that before the first enumeration shall be made, the Several States shall be entitled to chuse double the Number of Representatives for that purpose mentioned in the Constitution

That on June 21st. & 23d. Debates on the same Paragraph were continued—

1. MS, McKesson Papers, NHi.

608 A–B. Newspaper Reports of Convention Debates, 21 June 1788

608-A. *New York Daily Advertiser*, 24 June

Our latest accounts from Poughkeepsie are dated the 21st inst. The Convention was then discussing the 2d section of the Constitution, relative to the House of Representatives.

608-B. *New York Journal*, 3 July¹

Saturday June 21, and Monday, June 23, second sect. still in debate, it was warmly contested on both sides, and several amendments proposed (See amendments) Mr. President, Mr. M. Smith, Mr. Lansing, Mr. Williams, and Mr. Treadwell, opposed the paragraph; and Mr. Hamilton, and Mr. Harrison advocated it.

1. Reprinted: Boston *Independent Chronicle*, 10 July; Lansingburgh *Federal Herald*, 14 July; Massachusetts *Salem Mercury*, 15 July; Portland, Maine, *Cumberland Gazette*, 17 July.

609–610. New York Convention Monday, 23 June 1788

609. Convention Journal, 23 June 1788¹

MONDAY, 10 o'Clock, A. M.

JUNE 23d, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothoudt reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until ten of the clock to-morrow morning.

1. Printed: *Convention Journal*, 26–27.

610. John McKesson Notes on Proceedings, 23 June 1788¹

on motion of Mr. G Livingston as an amendment to the 8th. Paragraph of the second Section of the first Article the following Resolution was proposed as an Amendmt. vizt.

Resolved that no person shall be Eligible as a Senator—&ca.

1. MS, McKesson Papers, NHi.

**611–613. New York Convention
Tuesday, 24 June 1788**

611. Convention Journal, 24 June 1788¹

TUESDAY, 10 o'Clock, A. M.
JUNE 24th, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole, on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothoudt reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until ten of the clock to-morrow morning.

1. Printed: *Convention Journal*, 27.

612. Manuscript Convention Journal (Smooth Copy), 24 June 1788¹

The third Paragraph of the third Section of the first Article—having been read and Considered and debates had thereon, Mr. G. Livingston for an Amendment proposed the following Resolution

Resolved that no person shall be eligible as a Senator for more than Six years in any Term of twelve years; and that it shall be in the Power of the Legislatures of the several States to recall their Senators or either of them, and to elect others in their Stead to serve the Remainder of the Time for which such Senator or Senators so recalled was or were elected.

1. MS, McKesson Papers, NHi.

613 A–B. Newspaper Reports of Convention Debates, 24 June 1788

613-A. New York Daily Advertiser, 26 June¹

On Tuesday last the Convention after having for some days debated on the 2d section of the Constitution, proceeded to take up the 3d sect. During the whole of that day there was a very serious discussion on a motion made for giving

the State Governments the power of recalling the Senators, and that they be not eligible for more than six years out of twelve.

1. Reprinted: *Connecticut Gazette*, 4 July.

613-B. *New York Journal*, 3 July¹

Tuesday, June 24. The 3d sect. respecting senators, was read; upon which Mr. G. Livingston proposed amendments, (see amendments) which he advocated in a very sensible speech. Judge Morris spoke a few words, in reply, and Mr. Chancellor, and Mr. Hamilton went more fully into the merits of the subject. Mr. M. Smith made some cursory remarks upon the speeches of Mr. Chancellor and Mr. Hamilton.

1. Reprinted: Boston *Independent Chronicle*, 10 July; Lansingburgh *Federal Herald*, 14 July; Massachusetts *Salem Mercury*, 15 July; Portland, Maine, *Cumberland Gazette*, 17 July.

614–616. New York Convention Wednesday, 25 June 1788

614. *Convention Journal*, 25 June 1788¹

WEDNESDAY, 10 O'CLOCK, A. M.
JUNE 25th, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole, on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothoudt reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until ten of the clock to-morrow morning.

1. Printed: *Convention Journal*, 27–28.

615. *Manuscript Convention Journal (Smooth Copy)*, 25 June 1788¹

The fourth Section of the first Article having been read and Considered, and Debates had thereon, Mr. Jones moved for an explanatory Amendment proposed by the following Resolution

Resolved as the opinion of this Committee that nothing in the Constitution now under Consideration shall be construed to authorize the Congress to make or alter any Regulation in any State respecting the Times places or manner of holding elections for Senators or Representatives unless the Legislature of Such State shall neglect or refuse to make Laws or Regulations for the Purpose, or from any Circumstance be incapable of making the same, and then only until the Legislature of such State shall make Provision in the Premises.

Mr. M Smith then as a farther Amendment proposed the following addition to the last Resolution vizt.

And that nothing in this Constitution shall be construed to prevent the Legislature of any State to pass Laws from Time to Time to divide such State into as many Convenient Districts as the State shall be entitled to elect Representatives for Congress, nor to prevent such Legislature from making Provision that the Electors in each District shall chuse a Citizen of the United States who shall have been an Inhabitant of the District for the Term of one year immediately preceeding the Time of his Election for one of the Representatives of such District.

1. MS, McKesson Papers, NHi.

616. Newspaper Report of Convention Debates, 25 June 1788

616-A. *New York Journal*, 3 July¹

Wednesday, June 25. The 8th sect. was read. This sect. which respects the power of Congress, to lay and collect taxes, duties, imposts, and excises, &c. was debated *this day, Wednesday, Thursday, Friday and Saturday, the 28th*; speakers, Mr. M. Smith, Mr. Hamilton, Mr. chancellor Livingston, Mr. Lansing and Mr. Williams.

1. Reprinted: Boston *Independent Chronicle*, 10 July; Lansingburgh *Federal Herald*, 14 July; Massachusetts *Salem Mercury*, 15 July; Portland, Maine, *Cumberland Gazette*, 17 July.

617–618. New York Convention Thursday, 26 June 1788

617. Convention Journal, 26 June 1788¹

THURSDAY, 10 o'Clock, A. M.
JUNE 26th, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole, on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothoudt reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until ten of the clock to-morrow morning.

1. Printed: *Convention Journal*, 28.

618. Manuscript Convention Journal (Smooth Copy), 26 June 1788¹

The Sixth Section of the first Article having been read and Considered, and debates had thereon, Mr. Lansing ~~proposed~~ the following Amendment vizt.

No Senator or Representative shall during the Term for which he was elected, be appointed to any Office under the Authority of the united States; and no person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

That the 8th. Section of the first Article having been read and Considered and debates had thereon Mr. Williams the following Amendment vizt.

That no excise shall be imposed on any Article of the Growth or Manufacture of the united States or any of them, and that Congress do not lay direct Taxes but when the Monies arising from the Impost and Excise are insufficient for the public Exigencies; nor then, until Congress shall have first made a Requisition upon the States to assess levy and pay their respective Proportions of such requisition agreeably to the Census fixed in the said Constitution, in such way and manner as the Legislatures of the respective States shall judge best; and in such Case if any State shall neglect or refuse to pay its proportion pursuant to such Requisition then Congress may assess and levy such States proportion together with Interest thereon at the Rate of Six per Centum per Annum from the Time of Payment prescribed in such Requisition.

That the same 8th. Section of the first Article having been farther Considered and debates had thereon Mr. Lansing for the following Amendment to the second Paragraph vizt.

Provided that no Money be borrowed on the Credit of the united States without the Assent of two thirds of the Members of both Houses present.

1. MS, McKesson Papers, NHi.

619–620. New York Convention Friday, 27 June 1788

619. Convention Journal, 27 June 1788

FRIDAY, 10 o'Clock, A. M.
JUNE 27th, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothoudt reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until ten of the clock to-morrow morning.

1. Printed: *Convention Journal*, 29.

620. Newspaper Report of Convention Debates, 27 June 1788

620-A. *New York Journal*, 1 July¹

Extract of a letter from Poughkeepsie, dated June 27, 1788.

"The convention are now deliberating upon the power of taxation, &c. lodged in Congress. Amendments have been proposed, to the clauses, which respect elections, and permitting senators and representatives to hold other offices at the same time; which met with little or no opposition.

"The amendment brought forward on the paragraph concerning taxation, was proposed yesterday by Mr. Williams, and is similar to the one recommended by the conventions of South Carolina and Massachusetts.

"Judge Smith opened the debate to-day, and with his usual good sense, proved clearly, to persons capable of conviction, the dangers resulting to the liberties of the people from depositing such extensive and indefinite powers into the hands of men so little responsible as the Congress, under the new constitution, will be. The convention have not yet adjourned for the day, so that I cannot inform you of the [issue?] of the debates upon this clause. I expect it will take up three or four days of their time.

"The republican members are united as one man, and the terrors thrown out by the *Chancellor*, in his introductory speech, have had no manner of effect upon their minds."

1. See De Witt Clinton to Charles Tillinghast, 27 June, (RCS:N.Y., 1975), for the original letter.

**621–622. New York Convention
Saturday, 28 June 1788**

621. Convention Journal, 28 June 1788¹

SATURDAY, 10 o'Clock, A. M.

JUNE 28th, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothoudt reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until Monday next at ten of the clock in the forenoon.

1. Printed: *Convention Journal*, 29–30.

622. Newspaper Report of Convention Debates, 28 June 1788

622-A. *New York Journal*, 3 July¹

On Saturday, some severe debates took place, which produced temper, inso-much that the committee rose without finishing the section; when a resolve of the convention originated to set twice a day for the expedition of the important business before them.

1. Reprinted: Boston *Independent Chronicle*, 10 July; Massachusetts *Salem Mercury*, 15 July; Portland, Maine, *Cumberland Gazette*, 17 July.

**623. New York Convention
Monday, 30 June 1788**

623. Convention Journal, 30 June 1788¹

MONDAY, 10 o'Clock, A. M.
JUNE 30th, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothoudt reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until ten of the clock to-morrow morning.

1. Printed: *Convention Journal*, 30.

**624–625. New York Convention
Tuesday, 1 July 1788**

624. Convention Journal, 1 July 1788¹

TUESDAY, 10 o'Clock, A. M.
JULY 1st, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole, on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothoudt reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until ten of the clock to-morrow morning.

1. Printed: *Convention Journal*, 30–31.

625 A-B. Newspaper Reports of Convention Debates, 1 July 1788

625-A. *New York Daily Advertiser*, 8 July¹

In our CONVENTION, on Tuesday last, Mr. M. SMITH opened the debates of the day by an explanation of his arguments of the day before.

The MAYOR of New-York [James Duane] followed him by a long and well detailed speech in answer to the objections that had been made against the clause under consideration (sect. 8, art. 1): In the course of his observations, he produced a variety of papers to shew the folly of relying on requisitions (the mode intended by the amendment) and in particular an extract from the Circular Letter of his Excellency General Washington, by which he proved, that the distresses and procrastination of the war were attributable to that mode of supplying the common wants of the general government. He was about two hours on his legs; and having gone through and fairly answered the objections that had been made by the opposite party, concluded by an apology for the length of time he had taken up, and an exhortation to the Members to be calm and conciliatory in their proceedings.—After him, Mr. JAY rose, who applauded Mr. Duane's speech in very high terms; and observed, that as every thing had been urged, which was pertinent to the occasion, he should only give his opinion in favor of the paragraph without any amendment; and he explained the idea of concurrent jurisdiction, by which the state governments are to be supported, in a very clear and able manner.

When Mr. Jay sat down, Mr. JONES took an opportunity of rising, and with his usual ingenuity stated some objections to the idea of a concurrent jurisdiction; observing at the same time, that if such a thing did exist, he should consider it as one of the greatest defects of the proposed Constitution.—He was followed by the CHANCELLOR, who, in a fine vein of humor, exposed the arguments of the opposition; compared ludicrously the reasoning of one to that of another, and placed in the most striking and picturesque point of view the absurdities and contradictions of all. He gave his fine imagination full scope, in sallies that would do honor to a Chesterfield or a Courtenay. The bursts of applause, which he received from every side, seemed to add energy to his genius, and his whole speech was a stream of delicate satire and truly Attic eloquence. Even those who felt most sensibly the lashes of his wit, were captivated with his fancy, and were forced to join the general laugh. Nor was his address a mere exercise of sportive imagination; his wit served only to give keenness to the edge of his arguments, and to make their impression irresistible.

When the Chancellor sat down, a motion was made for the Committee to rise, and the Convention adjourned.

1. Reprinted: *New York Morning Post*, 9 July; *Massachusetts Centinel*, 19 July; *Massachusetts Salem Mercury*, 22 July; and *Richmond Virginia Gazette and Weekly Advertiser*, 24 July. This item appears split up in RCS:N.Y. on pp. 2038, 2044, 2049, 2056. For a shortened version of this item see Mfm:N.Y. 625-B (immediately below).

625-B. *New York Journal*, 10 July¹

Convention of New-York.

Wednesday, July 1.

Sect. 8. of art. 1, still under debate, which respects *the powers of Congress*.

(Many very interesting and severe debates were had in the tedious discussion of *this section*, which lasted *seven days*; those debates we have not been able to ascertain.)

Mr. M. Smith opened the debate by an explanation of his arguments of the day before.

Mr. Duane replied, in a speech of two hours, to the objections that had been made against the clause under consideration. In the course of Mr. Duane's observations, he produced a variety of papers to shew the folly of relying on requisitions (the mode intended by the amendment) and in particular an extract from the circular letter of his Ex. Gen. Washington, by which he attempted to prove, that the distresses and procrastination of the war were attributable to that mode of supplying the common wants of the general government. Having gone through and fairly answered the objections that have been made by the opposite party, concluded by an apology for the length of time he had taken up, and an exhortation to the members to be calm and conciliatory in their proceedings.

After Mr. Duane Mr. Jay rose, who applauded Mr. Duane's speech, and observed, that as every thing had been urged that was pertinent to the occasion, he should only give his opinion in favor of the paragraph without any amendment; Mr. Duane explained the idea of concurrent jurisdiction, by which the state governments are to be supported, in a clear and able manner.

Mr. Jones stated some objections to the idea of a concurrent jurisdiction; observing at the same time, that if such a thing did exist, he should consider it as one of the greatest defects of the proposed constitution. He was followed by the chancellor, who exposed the arguments of the opposition, and placed in the most striking point of view their absurdities.

When the chancellor 'sat down,' a motion was made for the committee to rise, and the convention adjourned.

1. Reprinted: Lansingburgh *Federal Herald*, 21 July. This is a shortened version of the account of the debates that appeared in the *New York Daily Advertiser*, 8 July (RCS:N.Y., 2038, 2044, 2049, 2056; Mfm:N.Y. 625-A [immediately above]).

626–627. New York Convention Wednesday, 2 July 1788

626. *Convention Journal*, 2 July 1788¹

WEDNESDAY, 10 o'Clock, A. M.

JULY 2d, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole, on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to

Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothoudt reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until ten of the clock to-morrow morning.

1. Printed: *Convention Journal*, 31.

627 A–B. Newspaper Reports of Convention Debates, 2 July 1788

627-A. *New York Journal*, 7 July¹

Extract of a letter from Poughkeepsie, July 3.

The Convention have got to the 2d article—several amendments have been proposed this day, and none dissented. Yesterday the news of the Virginia reseratory adoption arrived here from New-York, it is said in 9 hours. It has made, in my opinion, no impression upon the republican members.

1. Reprinted: *Virginia Independent Chronicle*, 16 July. For the original letter from De Witt Clinton to Charles Tillinghast, 3 July, see RCS:N.Y., 2082–83n.

627-B. *New York Journal*, 10 July¹

Mr. G. Livingston opened the debate by some replication to the chancellor's preceding speech.

Mr. Williams spoke a few words; when Mr. M. Smith arose, and took up the chancellor, upon his own ground, in a decent and ingenious manner.

The chancellor then rose, and replied to each one's attack, with the most engaging good humor.

After the Chancellor was seated, on the motion of Mr. Jones, the committee proceeded to take up the next clause, which authorises Congress to make loans: here Mr. Lansing proposed an amendment, restricting Congress from making any loans, but by the concurrence of two-thirds of both houses. This proposition occasioned some debate, in which Mr. Jay, Mr. Hamilton, Mr. Harrison, and the Chief Justice, bore a part; they attempted to shew the impropriety and dangerous consequence of such an amendment—Those who supported the amendment, were Mr. M. Smith, Mr. Lansing, and the Governor: while the Governor was speaking, Colonel Livingston made his appearance in the convention chamber, with the interesting intelligence of the ratification of Virginia.

The debate on Mr. Lansing's motion having subsided, Mr. Jones brought forward another amendment, to the clause which enables Congress to establish post-offices and post-roads. His amendment was to restrict Congress from laying out roads, without the consent of the legislature of the state in which the same may be.

1. Reprinted: Lansingburgh *Federal Herald*, 21 July. This is a shortened version of the account of the debates that appeared in the *New York Daily Advertiser*, 8 July (RCS:N.Y., 2079–81n).

628–631. New York Convention
Thursday, 3 July 1788

628. Convention Journal, 3 July 1788¹

THURSDAY, 10 o'Clock, A. M.
JULY 3d, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole, on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothout reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until ten of the clock to-morrow morning.

1. Printed: *Convention Journal*, 31–32.

629. Manuscript Convention Journal (Smooth Copy), 3 July 1788¹

That the 8th. Section of the first Article having [been] farther Considered and debates had thereon Mr. Jones the following Resolution for an Amendment to the 7th. Paragraph vizt.

Resolved as the opinion of this Committee that the Power of the Congress to establish post Offices and Post Roads, is not to be construed to extend to the laying out making altering or repairing Highways in any State without the Consent of the Legislature of such State.

That Mr. Lansing the following Proviso as an Amendment to the 12th. Paragraph of the Eighth Section of the first Article vizt.

Provided that no standing Army or regular Troops shall be raised or kept up in Time of Peace, without the Consent of two thirds of the Members of both Houses present.

That the 15th. and 16th. Paragraphs of the said 8th. Section having been read and Considered, and Debates had thereon Mr. M. Smith the following Proviso as an Amendment vizt.

Provided that the Militia of any State shall not be marched out of such State without the Consent of the Executive thereof, nor be continued in Service out of the State, without the Consent of the Legislature thereof for a longer Term than Six Weeks; and Provided that the Power to organize and discipline the Militia shall not be construed to extend further than to prescribe the mode of Arming and disciplining the Same.

The 18th Paragraph of the said 8th. Section having been read and Considered and Debates had thereon—Mr. Lansing the following proviso as an Amendment vizt.

Provided that no Power shall be exercised by Congress but such as is expressly given by this Constitution; and all other Powers not expressly given shall be reserved to the respective States to be by them exercised.—

That the 9th. Section of the first Article having been read and again begun to be read by Paragraphs, the second Paragraph having been read & Considered Mr. Lansing moved for the following Proviso as an Amendment vizt.

Provided that whenever the Privilege of *Habeas Corpus* shall be suspended, such Suspension shall in no Case exceed the Term of Six Months, or until the then next meeting of the Congress.

That the 3d parag[rap]h of the 9th. Section of the first Article having been read and Considered Mr. G Livingston the following Proviso as an Amendment—

“Provided that the meaning of *ex post facto* Laws shall not be construed to prevent calling public Defaulters to account, but shall extend only to Crimes.”

That the 4th. Paragraph of the said 9th Section having been read and Considered, Mr. Tredwell for an Amendment the following Resolution vizt.

“Resolved as the Opinion of this Committee that no *Capitation Tax* ought ever to be laid.”

That the Sixth Paragraph of the said ninth Section having been read and Considered Mr. Tredwell the following Proviso as an Amendment vizt.

“Provided that the words *from time to time* shall be so construed as that the receipts and Expenditures of public Money shall be published at least once in every year, and be transmitted to the Executives of the Several States to be laid before the Legislatures thereof.”

That the Seventh Paragraph of the said 9th. Section having been read and Considered Mr. M Smith for an Amendment the following Resolution vizt.

“Resolved as the Opinion of this Committee that the Congress shall at no time Consent that any Person holding any Office of Profit or Trust in or under the united States, shall except [i.e., accept] of any Title of Nobility from any King Prince or foreign State.”

That the 4th. Paragraph of the said 9th. Section having been read and Considered Mr. Tredwell for an Amendment proposed the following Resolution vizt.

Resolved as the Opinion of this Committee, that no *Capitation Tax*, ought ever to be laid.

That the 6th. Paragraph of the said 9th. Section having been read and Considered, Mr. Tredwell the following Proviso as an Amendment vizt.

[“]Resolved that the words *from time to time* shall be so construed as that the Receipts and Expenditures of Public Money shall be published at least once in every year, and be transmitted to the Executives of the Several States to be laid before the Legislatures thereof.”

That the 7th. Paragraph of the said 9th. Section having been read and Considered, Mr. M. Smith for an Amendment the following Resolution
vizt.

“Resolved as the Opinion of this Committee that the Congress shall at no Time Consent that any person holding any Office of Profit or Trust in or under the united States, shall except [i.e., accept] any Title of Nobility from any King Prince or foreign State.”

1. MS, McKesson Papers, NHi.

630. John McKesson Notes of Proceedings, 3 July 1788¹

As to Art 1st. Sect. 8. article [i.e., paragraph] 11—

Mr. Tredwell moved

Mr. M Smith moved for the followg Resolution for an Amendmt. to paragraph 3d. of Sect. 8. of Article 1st.—

1. MS, McKesson Papers, NHi.

631. Newspaper Report of Convention Debates, 3 July 1788

631-A. *New York Journal*, 10 July¹

Thursday, July 3.

The convention made some considerable progress in the business before them, having got quite through the first article of the constitution. In the course of the day several amendments were proposed. Adjourned until to-morrow.

1. Reprinted: Lansingburgh *Federal Herald*, 21 July.

632–634. New York Convention Friday, 4 July 1788

632. Convention Journal, 4 July 1788¹

FRIDAY, 10 o’Clock, A. M.

JULY 4th, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole, on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the Chair, and Mr. Oothoudt reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until ten of the clock to-morrow morning.

1. Printed: *Convention Journal*, 32.

633. Manuscript Convention Journal (Smooth Copy), 4 July 1788¹

That the 1st. Paragraph of the 1st. Sect. of the 2d. Article having been read and Considered, Mr. M Smith for an Amendment the following Resolution vizt.

Resolved as the Opinion of this Committee that the President of the united States should hold his Office during the Term of Seven years, and that he *should not be eligible* a second Time

That the Second Section of the said Second Article having been read and Considered Mr. G. Livingston for an Amendment the following Resolution—

Resolved as the opinion of this Committee that the President of the united States should never command the Army Militia or Navy of the united States in Person without the Consent of the Congress—And that he should not have Power to grant Pardons for Treason without the Consent of the Congress—But that in Cases where Persons are convicted of Treason he should have Authority to grant Reprieves until their Cases can be laid before the Congress.

That the second Paragraph of the Second Section of the Second Article being again read and Considered, Mr. M Smith for an Amendment the following Resolution vizt.

Resolved as the Opinion of this Committee, that the Congress shall appoint in such Manner as they may think proper, a Council to advise the President in the Appointment of Officers—That the said Council should continue in Office for four years—That they should keep a Record of their Proceedings and Sign the Same—And always be responsible for their Advice and impeachable for Mal-Conduct in Office—That the Counsellors should have a reasonable Allowance for their Services, fixed by standing Laws—And that no Man should be elected a Counsellor who shall not have attained to the Age of thirty five years, and who is not either a natural born Subject or became a Citizen before the fourth day of July 1776.

1. MS, McKesson Papers, NHi.

634. Newspaper Report of Convention Debates, 4 July 1788

634-A. *New York Journal*, 10 July¹

Friday, July 4.

The second article, respecting the executive power, mode of electing senators, &c. was this day taken up, when a number of amendments were proposed.

1. Reprinted: Lansingburgh *Federal Herald*, 21 July.

635–636. New York Convention
Saturday, 5 July 1788

635. Convention Journal, 5 July 1788¹

SATURDAY, 10 o'Clock, A. M.
 JULY 5th, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothout reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until Monday next at ten of the clock in the forenoon.

1. Printed: *Convention Journal*, 33.

636. Manuscript Convention Journal (Smooth Copy), 5 July 1788¹

The third Section of the Second Article being read and Considered Mr. G Livingston that the following Proviso should be added thereto vizt.

Provided that all Commissions, Writs and process shall run in the Name of the People of the United States, and be tested in the Name of the President of the united States, or the Person holding his place for the Time being; or the first Judge of the Court out of which the Same shall issue—

That the first Section of the third Article having been read and considered Mr. Jones for an Amendment the following Resolution vizt.

Resolved as the opinion of this Committee that nothing in the Constitution now under Consideration contained shall be construed so as to authorize the Congress to constitute Ordain or establish any Tribunals or inferior Courts with any other than appellate Jurisdiction except such as may be necessary for the Trial of Causes of Admiralty and Maratime Jurisdiction and for the Trial of Piracies and Felonies committed on the high Seas. And in all other Cases to which the Judicial Power of the united States extends and in which the Supreme Court of the united States has not original Jurisdiction, the Cause shall be heard, tried and determined in some one of the State Courts, with the Right of appeal to the Supreme Court of the united States or other proper Tribunal to be established for that purpose by the Congress, with such Exceptions, and under such Regulations, as the Congress shall make—

Resolved as the opinion of this Committee, that all Appeals from any Courts in this State proceeding according to the Course of the Common Law are to be by writ of Error and not otherwise.

Resolved as the opinion of this Committee that no Judge of the Supreme Court of the united States, shall during his Continuance in Office hold any other Office under the united States or any of them—

That as an Amendment to that part of the Paragraph contained in the words
Between Citizens of the same State claiming Lands under Grants of different States, Mr.
 Jones for the following Resolution—

Resolved as the opinion of this Committee that the Judicial Power of the united States as to Controversies between Citizens of the Same State, claiming Lands under Grants of different States, extends only to controversies relating to such Lands as shall be claimed by two or more persons under Grants of different States.

Resolved as the opinion of this Committee, that the Judicial Power of the united States as to Controversies between Citizens of different States, is not to be construed to extend to any Controversy relating to any real Estate not claimed under Grants of different States.

Resolved as the Opinion of this Committee that nothing in the Constitution now under Consideration contained is to be construed to Authorize any Suit to be brought against any State in any Manner whatever.

That as an Amendment to that part of Article 3d. Section 2d. contained in the words *between a State and Citizens of another State* Mr. Jones the following Resolution vizt.

“Resolved as the Opinion of this Committee that the Judicial Power of the united States in Cases in which a State shall be a Party is not to be construed to extend to Criminal prosecutions—”

1. MS, McKesson Papers, NH*i*,

637–640. New York Convention
Monday, 7 July 1788

637. Convention Journal, 7 July 1788¹

MONDAY, 10 o’Clock, A. M.
 JULY 7th, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothoudt reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until eleven of the clock to-morrow morning.

1. Printed: *Convention Journal*, 33.

638. Manuscript Convention Journal (Smooth Copy), 7 July 1788¹

That as amendments to the first and second Paragraphs of the second Section of the third Article Mr. Jones the following Resolutions vizt.

Resolved as the Opinion of this Committee that Persons aggrieved by any Judgment Sentence or decree of the Supreme Court of the united States, with Such Exceptions and under such Regulations as the Congress shall make concerning the Same, ought upon application to have a Commission to be issued by the President of the United States, to such learned men as he shall nominate by and with the Advice and Consent of the Senate appoint not less than Seven Authorizing such Commissioners or any Seven or more of them to correct the Errors in such Judgment, or to review such Sentence and Decree, as the Case may be, and to do Justice to the Parties in the Premises.

Resolved as the Opinion of this Committee that the Jurisdiction of the Supreme Court of the united States, or any other Court to be instituted by the Congress ought not in any Case to be increased enlarged or extended by any Fiction Collusion or mere Suggestion—

That the second Paragraph of the Sixth Article having been read and Considered Mr. Lansing the following Resolution vizt.

Resolved as the Opinion of this Committee that no Treaty ought to operate so as to alter the Constitution of any State, nor ought any Commercial Treaty to operate so as to Abrogate any Law of the united States.

That the third Paragraph of the 6th. Article having been read and Considered Mr M Smith the following Resolution vizt.

Resolved as the Opinion of this Committee that all the Officers of the united States ought to be bound by Oath or affirmation not [to] infringe the Constitution or Rights of the respective States.

That the 2d. Paragraph of the 8th. Section of the first Article being again read— Mr. Tredwell the following Resolution vizt.

“Resolved as the Opinion of this Committee that the Congress ought not to have Power or Right to declare War without the Concurrence of two thirds of the Members present in each House.”

That the 3d. Paragraph of the 8th. Section of the first Article being again read— Mr. M Smith the following Resolution vizt.

Resolved as the Opinion of this Committee that nothing in the said Constitution contained shall be construed to authorize Congress to grant Monopolies, or erect any Company with Exclusive Advantages of Commerce.—

That the 17th. Paragraph of the 8th. Section of the first Article being again read, Mr. M. Smith the following Resolution vizt.

Resolved as the Opinion of this Committee that the Right of the Congress to exercise exclusive Legislation over such District not exceeding ten Miles Square, as may by Cession of particular States and the acceptance of Congress become the Seat of the Government of the united States shall not be so exercised as to exempt the Inhabitants of such District from paying the Same Taxes Imposts and Excises as shall be imposed on the other Inhabitants of the State where such District may be; nor shall it be so exercised as to prevent the Laws of the State and all process under those Laws from extending to each District, in all Cases of Crimes committed without the District or in Cases of Contracts made between Persons residing within such District, and persons residing without it—Nor shall

it be so exercised as to authorize any Inhabitant of the said District to bring any Suit in any Court which may be established by the Congress within the Same against any Citizen or Person not an Inhabitant of the said District.

And it is understood that the Stipulations in this Constitution respecting all essential Rights, shall extend as well to this District as to the united States in general—

Resolved further as the opinion of this Committee that the Right of exclusive Legislation with respect to such place as may be purchased for the erection of Forts Magazines Arsenals Dockyards and other needful Buildings shall not be construed to authorize the Congress to make any Law to prevent the Laws of the States in which they may lie from extending to such Places in all Civil and Criminal Matters, except as to such Persons as shall be in the Service of the united States, nor to them with respect to Crimes committed without such Places.

Mr. Lansing then Submitted a Declaration of Rights proposed to be inserted in the Ratification of the Constitution—

That all Freemen have essential Rights of which they cannot by any Compact deprive or divest their Posterity, among which are the Enjoyment of Life and Liberty.

That all Power is originally vested in, and Consequently derived from the People; and that Government is instituted for their common Benefit Protection and Security.

That in all Cases in which a Man may be subjected to a capital or infamous Punishment, no one ought to be put to his Trial, unless on an Indictment by a Grand Jury; And that in all Capital or criminal Prosecutions, the Accused hath a right to demand the Cause and Nature of his Accusation—to be confronted with his Accusers and Witnesses—to produce Testimony and have Council in his Defence, and to a fair public and speedy Trial by an Impartial Jury of the County in which the Crime was committed, without whose unanimous Consent he ought not to be found guilty (except in the Government of the Land and Naval Forces, in time of Actual War Invasion or Rebellion) nor ought he to be compelled to give Evidence against himself

That no Freeman ought to be taken imprisoned or diseised of his Freehold, or be exiled or deprived of his Privileges, Franchises, Life, Liberty or Property but by the Law of the Land.

That no Person ought to be put in Jeopardy of Life or Limb, or otherwise punished twice for one and the same Offence, unless upon Impeachment.

That every Freeman restrained in his Liberty is entitled to an Inquiry into the Lawfulness of such Restraint, without denial or delay, and to a removal thereof if unlawful.

That in all controversies respecting Property and in all Suits between Man and Man, the Ancient Trial of Facts by Jury is one of the greatest Securities of the Rights of a free People, and ought to remain sacred and inviolate forever.

That excessive Bail ought not to be required nor excessive Fines imposed, nor cruel nor unusual Punishments inflicted.

That every freeman has a right to be Secure from all unreasonable Searches and Seizures of his Person his Papers and his Property, and that therefore all Warrants to Search Suspected Places, or to Seize any Freeman his papers or property, with[out] Information upon Oath (or Affirmation of a Person religiously Scrupulous of taking an Oath) of sufficient Cause are grievous and oppressive; and all general Warrants to Search Suspected Places, or to apprehend any Suspected Person without specially naming or describing the Place, or Person, are dangerous and Oppressive, and ought not to be granted.

That the People have a Right peaceably to assemble together to consult for their common Good, or to instruct their Representatives; And that every Freeman has a Right to Petition or apply to the Legislature for Redress of Grievances.

That the Freedom of the Press ought not to be violated or restrained.

That the Militia should always be kept well Organized, armed and disciplined, and include according to past Usages of the States, all the Men capable of bearing Arms; and that no Regulations tending to render the general Militia useless and defenceless, by establishing Select Corps of Militia, or distinct Bodies of Military Men, not having permanent Interests and Attachments to the Community ought to be made; and that the Militia ought not to be Subject to Martial Law, except in Time of War Invasion or Rebellion; and that in all Cases the Military should be under Strict Subordination to, and governed by the Civil Power.

That no Soldier in Time of Peace ought to be quartered in any House, without the Consent of the Owner; And in Time of War only by the civil Magistrate in such manner as the Laws may direct.

That any Person religiously scrupulous of bearing Arms, ought to be exempted therefrom upon Payment of an Equivalent—

That the free and peaceable Exercise and enjoyment of Religious profession and worship is a naturable and unalienable Right, and ought never to be abridged, or violated.

1. MS, McKesson Papers, NHi.

639. Manuscript Copies of the Declaration of Rights Introduced by John Lansing, Jr., 7 July 1788

These two facsimiles are manuscript copies of the declaration of rights introduced by John Lansing, Jr., on 7 July. Both manuscripts are in the McKesson Papers at the New-York Historical Society.

- ◆ *To view these documents, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

640 A–B. Newspaper Reports of Convention Proceedings and Debates 7 July 1788

*640-A. New York Daily Advertiser, 11 July*¹

DECLARATION of RIGHTS, *submitted to the Convention at Poughkeepsie, on Monday last, by Mr. LANSING.*

That all freemen have essential rights, of which they cannot by any contract deprive or divest their posterity; among which are the enjoyment of life and liberty.

That all power is originally vested in and consequently derived from the people; and that government is instituted for their common benefit, protection and security.

That in all cases in which a man may be subjected to a capital or infamous punishment, no one ought to be put to his trial unless on an indictment by a grand jury; and that in all capital or criminal prosecutions, the accused hath a right to demand the cause and nature of his accusation; to be confronted with his accusers and witnesses; to produce testimony and have counsel in his defence; and to a fair, public and speedy trial by an impartial jury of the county in which the crime was committed, without whose unanimous consent he ought not to be found guilty (except in the government of the land and naval forces, in time of actual war, invasion or rebellion); nor ought he to be compelled to give evidence against himself.

That no freeman ought to be taken, imprisoned or disseized of his freehold, or be exiled or deprived of his privileges, franchises, life, liberty or property, but by the law of the land.

That no person ought to be put in jeopardy of life or limb, or otherwise punished twice for one and the same offence, unless upon impeachment.

That every freeman restrained in his liberty is entitled to an enquiry into the lawfulness of such restraint, without denial or delay, and to a removal thereof if unlawful.

That in all controversies respecting property, and in all suits between man and man, the ancient trial of facts by jury is one of the greatest securities of the rights of a free people, and ought to remain sacred and inviolate for ever.

That excessive bail ought not to be required, nor excessive fines imposed, nor cruel nor unusual punishments inflicted.

That every freeman has a right to be secure from all unreasonable searches and seizures of his person, his papers, and his property; and that therefore all warrants to search suspected places or to seize any freeman, his papers or property, without information upon oath (or affirmation of a person religiously scrupulous of taking an oath) of sufficient cause, are grievous and oppressive; and all general warrants to search suspected places, or to apprehend any suspected person, without specially naming or describing the place or person, are dangerous and oppressive, and ought not to be granted.

That people have a right peaceably to assemble together to consult for their common good, or to instruct their representatives; and that every freeman has a right to petition or apply to the legislature for redress of grievances.

That the freedom of the press ought not to be violated or restrained.

That the militia should always be kept well organized, armed and disciplined, and include, according to past usages of the states, all the men capable of bearing arms, and that no regulations tending to render the general militia useless and defenceless, by establishing select corps of militia, or distinct bodies of military men, not having permanent interests and attachments to the community, ought to be made; and that the militia ought not to be subject to martial law

except in time of war, invasion or rebellion; and that in all cases the military should be under strict subordination to and governed by the civil power.

That no soldier in time of peace ought to be quartered in any house without the consent of the owner, and in time of war only by the civil magistrate in such manner as the laws may direct.

That any person religiously scrupulous of bearing arms ought to be exempted therefrom upon payment of an equivalent.

That the free and peaceable exercise and enjoyment of religious profession and worship, is a natural and unalienable right, and ought never to be abridged or violated.

1. Reprinted in the New York *Impartial Gazetteer*, 12 July; New York *Independent Journal*, 12 July (omits last two paragraphs); *New York Journal*, 12 and 17 July; and *Albany Journal*, 21 July; and in eight out-of-state newspapers by 31 July: Mass. (1), R.I. (1), Pa. (3), Md. (1), Va. (1), S.C. (1).

640-B. *Poughkeepsie Country Journal*, 15 July¹

The Convention in this place have finished the discussion of the Constitution by paragraphs. On Friday last the anti-federal side of the House brought forward the form of a ratification, with three amendments annexed as conditions of the ratification. Whether such a mode of ratification was advisable, or whether it would be received by the Union as valid, have been the subject of animated discussion. We expect the question thereon will be taken this day. It was urged on yesterday, but postponed.

1. Reprinted in the *Albany Gazette*, 17 July, and in four out-of-state newspapers by 28 July: Vt. (1), Mass. (1), Pa. (2).

641. New York Convention Tuesday, 8 July 1788

641. *Convention Journal*, 8 July 1788¹

TUESDAY, 11 o'Clock, A. M.
JULY 8th, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole, on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothout reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until twelve of the clock to-morrow.

1. Printed: *Convention Journal*, 34.

**642. New York Convention
Wednesday, 9 July 1788**

642. Convention Journal, 9 July 1788¹

WEDNESDAY, 12 o'Clock,
JULY 9th, 1788.

The Convention met pursuant to adjournment, and adjourned until twelve of the clock to-morrow.

1. Printed: *Convention Journal*, 34.

**643. New York Convention
Thursday, 10 July 1788**

643. Convention Journal, 10 July 1788¹

THURSDAY, 12 o'Clock,
JULY 10th, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole, on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothoudt reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until ten of the clock to-morrow morning.

1. Printed: *Convention Journal*, 34–35.

**644–646. New York Convention
Friday, 11 July 1788**

644. Convention Journal, 11 July 1788¹

FRIDAY, 10 o'Clock, A. M.
JULY 11th, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole, on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothoudt reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until ten of the clock to-morrow morning.

1. Printed: *Convention Journal*, 35.

645. John Jay's Resolutions to Ratify the Constitution, 11 July 1788

This is a facsimile of the two resolutions proposed by John Jay on 11 July to ratify the constitution and propose recommendatory amendments (RCS:N.Y., 2130). The manuscript, in the handwriting of Alexander Hamilton, is in the McKesson Papers at the New-York Historical Society.

- ◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

646. Melancton Smith's Form of Ratification, 11 July 1788

Melancton Smith proposed this form of ratification as a substitute to John Jay's resolutions of 11 July (immediately above, Mfm:N.Y. 645). This form included the declaration of rights proposed by John Lansing, Jr., on 7 July and additional amendments. Included here are three facsimiles. The first is Insert "A" from John McKesson's working draft of the Committee of Whole report. It includes a draft of the declaration of rights [646-A(1)] and amendments [646-A(2)] proposed by Smith and Lansing. 646-B and 646-C are drafts or copies of the conditional amendments proposed at this time or later. All three facsimiles come from the McKesson Papers at the New-York Historical Society.

- ◆ *To view these documents, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

647. New York Convention Saturday, 12 July 1788

647. Convention Journal, 12 July 1788¹

SATURDAY, 10 o'Clock, A. M.
JULY 12th, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothoudt reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until Monday next, at ten of the clock in the forenoon.

1. Printed: *Convention Journal*, 36.

648. New York Convention
Monday, 14 July 1788

648. Convention Journal, 14 July 1788¹

MONDAY, 10 o'Clock, A. M.

JULY 14th, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole, on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothoudt reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until ten of the clock to-morrow morning.

1. Printed: *Convention Journal*, 36.

649–650. New York Convention
Tuesday, 15 July 1788

649. Convention Journal, 15 July 1788¹

TUESDAY, 10 o'Clock, A. M.

July 15th, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole, on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothoudt reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until ten of the clock to-morrow morning.

1. Printed: *Convention Journal*, 37.

650. Manuscript Draft of Alexander Hamilton's Amendments, 15 July 1788

See under 17 July 1788 for this item (Mfm:N.Y. 654-A, p. 431).

**651–653. New York Convention
Wednesday, 16 July 1788**

651. Convention Debates, 16 July 1788¹

The hon. Judge *Hobart* brought forward a motion for adjournment. On this motion large debates took place, in which, Mr. *Hobart*, Mr. *Duane*, Mr. *Lansing*, Mr. *Jay*, the *Chancellor*, Mr. *Hamilton*, and Mr. *Bay*, were engaged.—

The motion was rejected.

Mr. *Duane* then brought forward a plan of ratification, with certain explanations, and with a list of amendments to be recommended.—This was rejected.

Mr. *Smith*'s proposition was then resumed, and debated till—

1. Printed: Childs, *Debates*, 142.

652. Draft of John Sloss Hobart's Motion to Adjourn, 16 July 1788

John Sloss Hobart moved to adjourn the Convention on 16 July. His motion from the Convention Journal is printed on RCS:N.Y., 2185. This is a facsimile of the draft of that motion found in the McKesson Papers at the New-York Historical Society.

◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

**653 A–E. Newspaper Reports of Convention Proceedings and Debates
16 July 1788**

653-A. New York Journal, 18 July

Letters from Poughkeepsie, dated Wednesday, mention, that the question was again postponed until Yesterday.

653-B. New York Daily Advertiser, 21 July¹

In our Convention, on Wednesday last, the 16th inst. the Hon. Judge Hobart, seconded by his Worship the Mayor of New-York, made the following motion, after having prefaced it with an excellent speech:

“Whereas since the time of electing the Delegates now in Convention assembled, the Constitution submitted to their consideration hath been so far ratified as to become a system of government for ten of the United States, and the necessary measures are now pursuing for organizing and carrying the same into operation. And whereas at the time of the said election, the citizens of divers parts of this State were opposed to certain articles of the said Constitution. And whereas from the important change, which hath since the meeting of this Convention, taken place in the situation of public affairs, it is desirable that an opportunity should be given to the said Delegates, to know fully the sentiments at

present entertained by their constituents on a subject so interesting to them, and which may so deeply affect the public peace and tranquillity:

“Therefore, *Resolved*, That this Convention do adjourn, until the — day of — next, then to meet at —.”

This motion engaged the attention of the House all that day.

1. Reprinted in the *New York Journal*, 22 and 24 July; *New York Packet*, 22 July; and in fifteen papers outside New York by 14 August: N.H. (1), Mass. (2), R.I. (1), Conn. (2), Pa. (3), Md. (2), Va. (1), S.C. (2), Ga. (1).

653-C. *Pennsylvania Mercury*, 26 July¹

On Wednesday last the Hon. Judge Hobart, seconded by his Worship the Mayor of New-York, made a motion for an adjournment, but the importance of the object demanded deliberation, and engaged the attention of the house all that day; that the next, viz. Thursday, previous to taking the motion of the question, Mr. Hamilton made an excellent speech, and was followed by a call for the question, the division stood as follows. Ayes 22, Noes 40, Majority 18. That the Convention then went into a committee of the whole, and read the proposition of Mr. Smith, in amendment of Mr. Jay’s motion made on the 11th inst. and a motion of Mr. Hamilton’s, in amendment to Mr. Smith’s; the Hon. Mr. Duane then moved, that the consideration of Mr. Smith’s proposition should be postponed in order to take up Mr. Hamilton’s—the division stood thus, affirmative 20—negative 41. The committee then took up the proposition of Mr. Smith, who expressed a wish to withdraw it, in order to bring forward the following, urging as a reason its immaturity, and importance of the arguments made against it, but Mr. Lansing declared he would again move it, if Mr. Smith relinquished it, so of consequence they both stood before the Convention. The amendments in the motion are similar to those which have been recommended by those states which have adopted the Constitution; with a certain mode of ratification, upon these conditions, “They therefore assent to and ratify the said Constitution, in the firmest confidence that an opportunity will be speedily given to revise and amend the said Constitution, in the mode pointed out in the fifth article thereof; expressly reserving nevertheless to this state a right to recede and withdraw from the said Constitution, in case such opportunity be not given within — years. They further recommend that Congress be not vested with power to lay and collect taxes, and excise, call out the militia, &c. &c. in any other manner, than is pointed out by this Convention, until the sense of the people be taken on the propriety of amendments to the Constitution, in some mode pointed out; and that a circular letter be addressed to all the state in the union, inclosing these amendments, and earnestly inviting them to join with this Convention in requesting the Congress at their first meeting, to call a Convention of the states, to consider of the amendments proposed, by all the states.” Friday was a day of silence and reflection. Saturday the question was taken, and the last proposition of Mr. Smith’s preferred.—Thus far we have learnt, and really think this proposition of Mr Smith’s will form the outlines of a ratification.

1. Reprinted five times by 14 August: Mass. (2), Conn. (2), S.C. (1).

*653-D. New Hampshire Gazette, 31 July*¹

SUMMARY of late Proceedings in our Convention.

The 16th instant, Judge *Hobart*, after an excellent speech, moved, that the Convention do adjourn to the day of , then to meet at : Which after much debate was put, and negated. — *Yeas* 22. — *Nays* 40.

1. Reprinted: Portland, Maine, *Cumberland Gazette*, 7 August. The *New Hampshire Gazette* printed the item under a “NEW-YORK, July 21” dateline.

653-E. State Gazette of South Carolina, 7 August

In the New-York convention, on the 16th ult. a motion was made and seconded, viz. “That this convention do adjourn until the day of next, then to meet at ,” which was negated by a majority of 18.

654–655. New York Convention
Thursday, 17 July 1788

654 A–B. Facsimiles of Various Proposals Considered on 17 July 1788

John Jay proposed resolutions to ratify the Constitution on 11 July and Alexander Hamilton proposed a form of ratification and recommendatory amendments to the Constitution on 15 July (RCS:N.Y., 2130, 2178). Melancton Smith proposed an amendment to Jay’s resolutions on 15 July (RCS:N.Y., 2177–78). On 17 July 17 Smith proposed a form of ratification and amendments (RCS: N.Y., 2200–3), and James Duane proposed a substitution to Smith’s (RCS:N.Y., 2205–8). Smith then presented an alternative (RCS:N.Y., 2213–15).

654-A. Alexander Hamilton’s Amendments, 17 July

This facsimile is document Insert “B” in the working draft of the Committee of the Whole report in the McKesson Papers at the New-York Historical Society. It was James Duane’s proposal on 17 July which included a draft form of ratification [654-A(1)] in John Jay’s handwriting and amendments [654-A(2)] in Alexander Hamilton’s handwriting. John McKesson apparently grouped Hamilton’s amendments with his Insert “A.” See RCS:N.Y., 2205–8, 2218, note 19.

- ◆ *To view these documents, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

654-B. Drafts of Melancton Smith’s Proposed Substitute Form of Ratification and Amendments, 17 July

These four facsimiles are drafts of the forms of ratification and amendments that Melancton Smith proposed in the Convention on 17 July. The first facsimile [654-B(1)] is in the McKesson Papers at the New-York Historical Society. The next three facsimiles [(654-B(2), 654-B(3), and 654-B(4)] are in the Smith Papers at the New York State Library.

- ◆ *To view these documents, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

**655 A-B. Newspaper Reports of Convention Proceedings and Debates
17 July 1788**

655-A. *New York Daily Advertiser*, 21, 22 July¹

The next day, (Thursday) previous to taking the question on this motion, Mr. Hamilton made another display of those great abilities for which he is justly distinguished; he was powerful in his reasoning, and so persuasively eloquent and pathetic [i.e., compassionate], that he drew tears from most of the audience.

When he sat down, the question was called for, and the division of the House was as follows:—

AFFIRMATIVE.

Hon. Mr. Jay,	Mr. Schenck,
Hon. Judge Morris,	Judge Lefferts,
Hon. Judge Hobart,	Mr. Vandervoort,
Hon. Mr. Hamilton,	Mr. Banker,
Hon. R. R. Livingston,	Judge Ryerss,
Hon. Mr. Rosevelt,	Gen. L. Morris,
Hon. Mr. Duane,	Mr. P. Livingston,
Mr. Harrison,	Mr. Hatfield,
Mr. Low,	Gen. Van Cortlandt,
Mr. Havens,	Col. Crane,
Mr. Jones,	Mr. Sarls.

NEGATIVE.

Hon. Judge Yates,	Mr. Wood,
Hon. Mr. Lansing,	Judge Platt,
Mr. Oothoudt,	Hon. M. Smith,
Mr. Vrooman,	Mr. Akins,
Mr. J. Thompson,	Mr. G. Livingston,
Mr. Ten Eyck,	Mr. Dewitt,
Mr. Swart,	Judge Harper,
Mr. Scudder,	Gen. Swartwout,
Col. J. Smith,	Mr. C. Yates,
Mr. Tredwell,	Mr. Fry,
Gen. J. Cantine,	Mr. Winn,
Mr. Schoonmaker,	Gen. Veeder,
Mr. Clark,	Mr. Staring,
Gen. J. Clinton,	Mr. Parker,
Judge Wynkoop,	Mr. Williams,
Mr. Lawrence,	Mr. Baker,
Mr. Carman,	Judge Hopkins,
Hon. Mr. Haring,	Judge Van Ness,
Mr. Woodhull,	Mr. Bay,
Mr. Wisner,	Mr. Adgate.

Affirmative	—	22
Negative	—	<u>40</u>
	Majority	18

The Convention then went into a Committee of the whole.

A proposition of Mr. Smith, that had been moved as an amendment to Mr. Jay's motion of the 11th inst. for adopting the Constitution; and a motion of Mr. Hamilton as an amendment to Mr. Smith's, were then read.—(These motions, being too long for insertion to-day, will be given in to-morrow's paper.)

The Hon. Mr. Duane then moved, That the consideration of Mr. Smith's propositions should be postponed, in order to take up Mr. Hamilton's.

On this motion the division was called.

AFFIRMATIVE.

Hon. Mr. Jay,	Judge Lefferts,
Hon. Judge Hobart,	Mr. Vandervoort,
Hon. Judge Morris,	Mr. Banker,
Hon. Mr. Hamilton,	Judge Ryerss,
Hon. R. R. Livingston,	Gen. L. Morris,
Hon. Mr. Rosevelt,	Mr. P. Livingston,
Hon. Mr. Duane,	Mr. Hatfield,
Mr. Harrison,	Gen. Van Cortlandt,
Mr. Low,	Col. Crane,
Mr. Jones,	Mr. Sarls.

NEGATIVE.

Hon. Judge Yates,	Mr. Woodhull,
Hon. Mr. Lansing,	Mr. Wood,
Mr. Vrooman,	Judge Platt,
Mr. J. Thompson,	Hon. M. Smith,
Mr. Ten Eyck,	Gen. Swartwout,
Mr. Swart,	Mr. Akins,
Mr. Scudder,	Mr. G. Livingston,
Mr. Havens,	Mr. Dewitt,
Col. J. Smith,	Judge Harper,
Mr. Tredwell,	Mr. C. Yates,
His Excellency the President,	Mr. Fry,
Mr. Schoonmaker,	Mr. Winn,
Gen. J. Cantine,	Gen. Veeder,
Mr. Clark,	Mr. Staring,
Gen. J. Clinton,	Mr. Parker,
Judge Wynkoop,	Mr. Williams,
Mr. Schenck,	Mr. Baker,
Mr. Lawrence,	Judge Hopkins,
Mr. Carman,	Judge Van Ness,
Hon. Mr. Haring,	Mr. Bay,
	Mr. Adgate.

Affirmative	—	20
Negative	—	<u>41</u>
Majority		21

The Committee then took up the proposition of Mr. Smith, as the principle on which they would proceed;—after some time had elapsed, in which nothing particular was urged, Mr. Smith got up, and with much candor confessed that the arguments that had been offered against his proposition, were not only weighty, but such as had induced him to relinquish it; and that he wished to withdraw that, in order to make the following. He begged that he might be excused for many incorrections that were in it, as it had been drawn up in great haste, and hoped that he might have an opportunity of amending it. It was such a proposition, he said, as he thought would remove the objections of the Federal party, while at the same time it would afford to the opposition, all that security for the consideration of the amendments which they wished.

Mr. Lansing said, if Mr. Smith withdrew his other proposition, he should again move it;—and of course both propositions remained before the convention.—

The motion is as follows:—

WE, the Delegates of the people of the State of New-York, duly elected in pursuance of concurrent resolutions of the Senate and Assembly of the said State, passed the — day of —, and now met in Convention, having fully and fairly discussed the Constitution proposed to our consideration, agreed upon by the Federal Convention held in Philadelphia on the — day of —, do make known and declare:

That after the most mature deliberation they have been able to give the subject, a majority of them cannot approve the whole of the said Constitution, without amendments or alterations for the following among other reasons:—

1st. Because the most important powers granted by this Constitution, are expressed in terms so general, indefinite and ambiguous, as to leave the rulers in the exercise of them, to act too much at discretion.

2d. The limits of the powers of the General and State Governments are not marked out with sufficient precision; nor those of the former so defined as entirely to prevent a clashing of jurisdiction; and there is reason to fear that the State Government may be impaired by the General Governments in the exercise of powers granted in such general words and by implication only;—especially

3d. Because the Constitution gives to the Congress an indefinite and unlimited power over all the sources of revenue in the Union; by which means there is reason to fear that the individual States will be left without adequate means of discharging debts, or maintaining their civil establishments.

4th. Because the number of Representatives are not sufficiently numerous at present to possess a competent knowledge of and attachment to the interests of their constituents, or to afford a reasonable degree of confidence; and no certain ratio of increase is fixed, but left at the discretion of Congress.

5th. Because the power of regulating the times, places and manner of holding elections, tho' in the first instance given to the respective State Legislatures, is yet ultimately placed under the control of Congress, by which means they will have it too much in their power to secure their own continuance.

6th. Because an improper mixture of the Legislative, Executive and Judicial powers are lodged in the Senate. It is a maxim in a free government, that the Legislative, Executive and Judicial departments should be kept separate; tho' this cannot be effected in all its extent, yet it may be much nearer attained than is done in this system, for the Senate not only form a branch of the Legislature, but are also associated with the President in the exercise of the most important Executive powers, and form the highest Judicial Court in the nation for the trial of impeachments.

7th. The judicial powers in this Constitution, are given in too general and indefinite terms; are so various and extensive, that they may easily be made by legal fiction to extend too far and absorb some of the judicial powers of the respective States. No explicit security is given for Trial by Jury in common law cases, and the ancient and usual mode of trial in criminal matters is not secured. The appellate jurisdiction both as to law and fact, may deprive the citizen of safety from juries and render the obtaining justice difficult, dilatory and expensive.

For these and various other reasons, this Convention would be induced not to accede to this Constitution, did not other weighty considerations interpose; but the strong attachments they feel to their sister States, and their regard to the common good of the Union, impel them to preserve it.

This Convention have the firmest confidence in the common councils of the people of the United States, and the highest expectations that all the necessary amendments will be produced from their further deliberations; they therefore consent with the utmost cheerfulness to abide by the result of such deliberations;—but as some time will be necessary to effect this, the Convention will forbear to dissent from their brethren of the other states:—they have therefore agreed to assent to and ratify the said Constitution, in the firmest confidence that an opportunity will be speedily given to revise and amend the said Constitution, in the mode pointed out in the fifth article thereof; expressly reserving nevertheless to this state a right to recede and withdraw from the said Constitution, in case such opportunity be not given within ——— years.

And this Convention do recommend to the Congress, that the power to lay and collect taxes and excise, to call out the militia, &c. &c. &c. be not exercised or made to operate on this state in any other manner than is proposed in the amendments recommended by this Convention, until the sense of the people of the United States be taken on the propriety of the amendments to the Constitution, in one or the other of the modes pointed out in it.

Resolved, that it be recommended to the Legislature of this State, to request the Congress to call a Convention to consider of and propose amendments to this Constitution at their first session; and that the amendments agreed to by this Convention be transmitted to such Convention, when met, to be laid before them.

Resolved, that a circular letter be addressed to all the States in the Union, inclosing the foregoing, and earnestly inviting them to join with this Convention in requesting the Congress at their first meeting, to call a Convention of the States, to consider of the amendments proposed by all the States.

[22 July] *Mr. SMITH's Motion in Convention on Thursday last.*

THIS CONVENTION having deliberately and maturely examined and considered the proposed Constitution, reported to Congress by the Convention of Delegates from the United States of America, and submitted to their consideration by concurrent resolutions of the Senate and Assembly of the State of New-York, passed at their last session, DO, in the name and in the behalf of the PEOPLE of the STATE of NEW-YORK declare,

That all freemen have essential rights, of which they cannot by any compact deprive or divest their posterity; among which are, the enjoyment of life, liberty and the pursuit of happiness.

That all power is originally vested in and consequently derived from the people; and that government is instituted for their common benefit, protection and security.

That in all cases in which a man may be subjected to a capital or infamous punishment, no one ought to be put on his trial unless on an indictment by a grand jury; and that, in all capital or criminal prosecutions, the accused hath a right to demand the cause and nature of his accusation, and witnesses;—to produce testimony and have counsel in his defence, and to a fair, public and speedy trial by an impartial jury of the county in which the crime was committed, without whose unanimous consent he ought not to be found guilty (except in the government of the land and naval forces), nor ought he to be compelled to give evidence against himself.

That no freeman ought to be taken, imprisoned, or disseized of his freehold, or be exiled or deprived of his privileges, franchises, life, liberty, or property, but by the law of the land.

That no person ought to be put in jeopardy of life or limb, or otherwise punished twice for one and the same offence, unless upon impeachment.

That every freeman, restrained in his liberty, is entitled to an enquiry into the lawfulness of such restraint, without denial or delay; and to a removal thereof, if unlawful.

That in all controversies respecting property, and in all suits between man and man, the ancient trial of facts by jury is one of the greatest securities of the rights of a free people, and ought to remain sacred and inviolate forever.

That excessive bail ought not to be required, nor excessive fines imposed, nor cruel, or unusual punishments inflicted.

That every freeman has a right to be secure from all unreasonable searches and seizures of his person, his papers, and his property, without information upon oath or affirmation of sufficient cause; and that all general warrants to search suspected places, or to apprehend any suspected person, without specially describing or naming the place or person, are dangerous and oppressive, and ought not to be granted.

That the people have a right peaceably to assemble together to consult for their common good, or to instruct their representatives; and that every freeman has a right to petition or apply to the legislature for a redress of grievances.

That the Freedom of the Press ought not to be violated or restrained.

That the militia should always be kept well organized, armed and disciplined, and include, according to past usages of the State, all the men capable of bearing arms, and ought not to be subject to martial law (except in time of war, invasion, or rebellion) and that in all cases the militia should be under strict subordination to the civil power.

That standing armies in time of peace are dangerous to liberty, and ought not to be kept up but in cases of absolute necessity.

That no soldier in time of peace ought to be quartered in any house without the consent of the owner; and in time of war, only by the civil magistrate, in such manner as the laws may direct.

That any person religiously scrupulous of bearing arms ought to be exempted therefrom, upon payment of an equivalent.

That the free and peaceable enjoyment of religious profession and worship is a natural and unalienable right, and ought never to be abridged or violated.

That nothing in the said Constitution is to be construed to prevent the Legislature of any State to pass laws from time to time to divide such State into as many convenient districts as the State shall be entitled to elect representatives for Congress; nor to prevent such Legislature from making provision that the electors in each district shall chuse a citizen of the United States, who shall have been an inhabitant of the district for the term of one year immediately preceding the time of election, for one of the representatives of such State.

That no power is to be exercised by Congress, but such as is expressly given by the said Constitution, and all other powers not expressly given, are reserved to the respective States to be by them exercised.

That the prohibition in the said Constitution against [– – –] ex post facto laws, extend only to laws concerning criminals.

That all appeals from any Court, proceeding according to the course of the common law, are to be by writ of error and not otherwise.

That the judicial powers of the United States, as to controversies between citizens of the same State claiming lands under grants of different States, is not to be construed to extend to any other controversies than those relating to such lands as shall be claimed by two or more persons under grants of different States.

That nothing in the said Constitution contained, is to be construed to authorise any suit to be brought against any State in any matter whatever.

That the judicial powers of the United States in cases in which a State shall be a party, is not to be construed to extend to criminal prosecutions.

That the judicial power of the United States as to controversies between citizens of different States, is not to be construed to extend to any controversies relating to any real estate not claimed under grants of different States.

That nothing in the said Constitution contained, is to be construed to authorise Congress to grant monopolies, or to erect any company with exclusive advantages of commerce.

That no treaty is to be construed to operate so as to alter the Constitution of any State; that the jurisdiction of the Supreme Court of the United States, or of any other Court to be substituted by the Congress, is not in any case to be increased, enlarged, or extended by any fiction, collusion, or mere suggestion.

That the clauses in the said Constitution which declare that the Congress shall not have or exercise certain powers, are not to be interpreted in any manner whatsoever, to extend the powers of the Congress, but are to be construed either as exceptions to the specified powers, or as inserted for greater caution.

And with a firm reliance and on the express condition that the rights aforesaid, will not and shall not be lost, abridged, or violated, and that the said Constitution shall, in the cases above particularised, receive the construction herein before expressed, with a solemn appeal to the searcher of hearts for the purity of our intentions, and in the confidence that whatever imperfections may exist in the Constitution, will as soon as possible be submitted to the consideration of a General Convention: WE, the said DELEGATES in the name and in the behalf of the PEOPLE of the STATE of NEW-YORK, DO, by these presents, assent to and RATIFY the said Constitution (a copy whereof precedes this ratification) upon condition nevertheless that until the amendments herein contained and herewith recommended, shall have been submitted to and determined upon by a General Convention to be called in the mode prescribed by the said Constitution, the militia of this State shall not be continued in service out of this State for a longer term than six weeks without the consent of the Legislature thereof; that Congress shall not be authorised to make or alter any regulation in this State, respecting the time, places, or manner of holding elections for Senators or Representatives, unless the Legislature of this State shall neglect or refuse to make laws or regulations for the purpose, or from any circumstances be incapable of making the same, and that in those cases such power shall only be exercised until the Legislature of this State shall make provision in the premises; that no excise shall be imposed on any articles of the growth or manufactory of the United States or any of them within this State; and that Congress do not lay distinct taxes within this State, but when the monies arising from the impost and excise shall be insufficient for the public exigencies, nor then until Congress shall first have made a requisition upon the State, to assess, levy and pay its proportion of such requisition agreeable to the census fixed in the said Constitution, in such way and manner as the Legislature of this State shall judge best, but that in such case if the State shall neglect or refuse to pay its proportion pursuant to such requisitions; then the Congress may assess and levy this State's proportion, together with interest at the rate of six per cent per annum, from the time at which the same was required to be paid.

DONE in CONVENTION the — day of —, in the year —.

Mr. HAMILTON's Motion—same day.

WE, the DELEGATES of the PEOPLE of the STATE of NEW-YORK, in Convention assembled, having maturely considered the Constitution for the

United States, agreed to on the 17th day of September, in the year 1787, at Philadelphia, in the commonwealth of Pennsylvania, by the Convention then and there convened; and having also seriously and deliberately considered the present situation of the United States, and being convinced that it is advisable to adopt the said Constitution, DO declare and make known, in the name and behalf of the people aforesaid, that the powers granted in and by the said Constitution, being derived from the people of the United States, may be resumed by them whenever they shall judge it necessary to their happiness:—that every power, not granted thereby, remains either to them or their respective State governments to whom they may have delegated the same:—that therefore, no right of any kind, either of the people of the respective States or of the said governments, can be cancelled, abridged, restrained, or modified by Congress or by any officer or department of the United States, except in conformity to the powers given by the said Constitution:—that among other essential rights, the liberty of conscience, and of the press, cannot be cancelled or abridged by any authority of the United States. With these impressions, with a firm reliance on the blessing of providence upon a government strained under circumstances which afford a new and instructive example of wisdom and moderation to mankind, with an entire conviction that it will be more prudent to rely, for whatever amendments may be desirable in the said Constitution, on the mode therein prescribed than either to embarrass the union, or to hazard dissensions in any part of the community, by pursuing a different course, and with a full confidence that the amendments which shall have been proposed will receive an early and mature consideration, and that such of them as may in any degree tend to the real security and permanent advantage of the people will be adopted.—WE the said DELEGATES, in the name and behalf of the PEOPLE of this State, DO by these presents, assent to, and RATIFY the Constitution aforesaid; hereby announcing to all those whom it may concern, that the said Constitution is binding upon the said people according to an authentic copy hereunto annexed in the words following (here insert the Constitution).

Done in Convention at Poughkeepsie, in the State of New-York,
 this — day of July, in the year of our Lord, 1788.
 By order of the Convention.

And to the end that the sense of the people of this State may be manifested touching certain parts of the said Constitution, concerning which doubts have been raised, WE the Delegates aforesaid, in the name and behalf of the people aforesaid, do by these presents further declare and make known, that according to the true intent and meaning of the said Constitution, Congress ought not to interpose in the regulation of the times, places, and manner of holding elections for Senators and Representatives, except only in such cases in which the Legislatures of the respective States or any of them may neglect, refuse, or be unable to make provision, or for the purpose of appointing an uniform time for the election of Representatives; and that the Legislature of any State may at its discretion lay out such State into convenient districts for the election of Representatives, and may apportion its Representatives to and among such districts: And also, that except as to duties on imports and exports or the Post-Office, and duties

of tonnage, the United States, and the States respectively, have concurrent and co-equal authority to lay and collect all taxes whatever; and therefore that neither of them can in any wise contravene, control, or annul the operation or execution of any law of the other for the imposition or collection of any tax, except as aforesaid:—And also that there must be once in every four years an election of the President and Vice-President, so that no officer who may be appointed by Congress to act as President in case of the removal, death, resignation or inability of the President and Vice-President, can in any case continue to act beyond the termination of the period for which the last President and Vice-President were elected; And also that the judicial power of the United States, in cases in which a State may be a party, does not extend to criminal prosecutions, or to any suit by private persons, against a state; and that the appellate jurisdiction of the Supreme Court cannot authorise a second trial of the fact in any criminal case whatever, or a second trial of any fact determinable in the course of the common law by a Jury, and which shall have been so determined in the original cause: And lastly that the process of presentment and indictment by a grand jury ought to be observed in every prosecution for any crime, as a necessary preliminary to the trial thereof:

And in order that the foregoing declarations and constitutions may be recognized and inviolably observed in the administration of the government of the United States, this Convention, in the name and behalf of the people aforesaid, do hereby enjoin it upon the Senat[or]s and Representatives of this State in the Congress, to procure as soon as may be, after the meeting of Congress, a declaratory act in conformity to these presents.

Done in Convention at Poughkeepsie, in the State of New-York,
on the day, and in the year last aforesaid.

By order of the Convention.

1. Reprinted in full or in part in the *New York Packet*, 22 July; *New York Journal*, 24 July; and in sixteen out-of-state newspapers by 14 August: N.H. (1), Mass. (2), R.I. (1), Conn. (2), Pa. (4), Md. (2), Va. (1), S.C. (2), Ga. (1).

655-B. Massachusetts Centinel, 23 July

A letter from New-York, received last night, has the following article, “This day (the 17th inst.) the great question is to be taken in the New-York Convention, but I have no great hopes.”

Another letter mentions, that the prevailing opinion in New-York is, that their Convention will adjourn for a month.

656. New York Convention
Friday, 18 July 1788

656. Convention Journal, 18 July 1788¹

FRIDAY, 10 o'Clock, A. M.
JULY 18th, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole, on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the Chair, and Mr. Oothoudt reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until ten of the clock to-morrow morning.

1. Printed: *Convention Journal*, 39–40.

657–659. New York Convention
Saturday, 19 July 1788

657. Convention Journal, 19 July 1788¹

SATURDAY, 10 o'Clock, A. M.
JULY 19th, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothoudt reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until Monday next, at ten of the clock in the forenoon.

1. Printed: *Convention Journal*, 40.

658. Convention Debates, 19 July 1788¹

When Mr. *Lansing* moved to postpone the several propositions before the house, in order to take into consideration a draft of a conditional ratification, with a bill of rights prefixed, and amendments subjoined. Debates arose on the motion, and it was carried. The committee then proceeded to consider separately the amendments proposed in this plan of ratification.

1. Printed: Childs, *Debates*, 142–43.

659. Draft of a Form of Ratification and Amendments Proposed by John Lansing, Jr., 19 July 1788

On 19 July John Lansing, Jr., moved to postpone the other forms of ratification and amendments then being considered by the Committee of the Whole and presented his proposal for consideration (RCS:N.Y., 2234–42, 2250, note 1). Two drafts of Lansing’s proposal are in the McKesson Papers at the New-York Historical Society. They are labeled as Inserts “C” [659(1)] and “D” [659(2)] in McKesson’s working draft of the Committee of the Whole report.

- ◆ *To view these documents, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

**660–661. New York Convention
Monday, 21 July 1788**

660. Convention Journal, 21 July 1788¹

MONDAY, 10 o’Clock, A. M.

JULY 21st, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothoudt reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until ten of the clock to-morrow morning.

1. Printed: *Convention Journal*, 40–41.

**661 A–B. Newspaper Reports of Convention Proceedings and Debates
21 July 1788**

661-A. New York Daily Advertiser, 23 July

The last accounts from Poughkeepsie are dated on Monday evening—at which time nothing material had happened.—The opposition were much divided, and appeared to have no regular system in view.

661-B. Rhode Island Providence Gazette, 26 July

By the Western Post we learn, that the decisive Question respecting the New Constitution had not been taken at Poughkeepsie on Monday last.

662–663. New York Convention
Tuesday, 22 July 1788

662. Convention Journal, 22 July 1788¹

TUESDAY, 10 o'Clock, A. M.
JULY 22d, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothout reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until ten of the clock to-morrow morning.

1. Printed: *Convention Journal*, 41.

663. Newspaper Report of Convention Proceedings and Debates, 24 July 1788

663-A. New York Daily Advertiser, 24 July¹

By the last night's mail we received letters from Poughkeepsie, dated on Tuesday afternoon—one of which says, "I think by to-morrow the House must come to something decisive—it is impossible to tell what that final decision will be: I cannot even conjecture with plausibility."

1. Reprinted: Massachusetts *Salem Mercury*, 29 July; Connecticut *Norwich Packet*, 31 July.

664–665. New York Convention
Wednesday, 23 July 1788

664. Convention Journal, 23 July 1788¹

WEDNESDAY, 10 o'Clock,
JULY 23d, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothout reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until ten of the clock to-morrow morning.

1. Printed: *Convention Journal*, 41–42.

665. Convention Debates, Wednesday, 23 July 1788¹

Mr. *Jones* moved that the words *on condition*, in the form of the ratification, should be obliterated, and that the words *in full confidence*, should be substituted—which was carried.

For the Affirmative. [31]

Mr. Jay,	Mr. J. Smith,	Mr. P. Livingston,
Mr. R. Morris,	Mr. Jones,	Mr. Hatfield,
Mr. Hobart,	Mr. Schen[c]k,	Mr. Van Cortland[t],
Mr. Hamilton,	Mr. Lawrence,	Mr. Crane,
Mr. R. Livingston,	Mr. Carman,	Mr. Sarlls,
Mr. Roosevelt,	Mr. Lefferts,	Mr. Platt,
Mr. Duane,	Mr. Vandervoort,	Mr. M. Smith,
Mr. Harrison,	Mr. Ban[c]ker,	Mr. G. Livingston,
Mr. Low,	Mr. Ryerss,	Mr. D'Witt,
Mr. Scudder,	Mr. L. Morris,	Mr. Williams.
Mr. Havens,		

For the Negative. [29]

Mr. R. Yates,	Mr. Wynkoop,	Mr. Winn,
Mr. Lansing,	Mr. Haring,	Mr. Veeder,
Mr. I. Thompson,	Mr. Woodhull,	Mr. Staring,
Mr. Ten Eyck,	Mr. Wisner,	Mr. Parker,
Mr. Tredwell,	Mr. Wood,	Mr. Baker,
Mr. <i>President</i> ,	Mr. Swartwout,	Mr. Hopkins,
Mr. Cantine,	Mr. Akins,	Mr. Van Ness,
Mr. Schoonmaker,	Mr. Harper,	Mr. Bay,
Mr. Clark,	Mr. C. Yates,	Mr. Adgate.
Mr. J. Clinton,	Mr. Frey,	

The committee continued the consideration of the amendments till Thursday; when Mr. *Lansing* moved to adopt a resolution, that there should be reserved to the state of New-York a right to withdraw herself from the union, after a certain number of years, unless the amendments proposed should previously be submitted to a general convention.

This motion was negatived.

The committee proceeded in the consideration of the amendments till the 25th of July, when the whole being gone through and amended, the question was put, whether the committee did agree, to the same, which was carried in the affirmative.—The committee then rose and reported.—

The report of the committee being considered, the President put the question, whether the convention did agree to the said report, which was carried in the affirmative.

The convention then resolved unanimously, that a circular letter be prepared, to be laid before the different legislatures of the United States, recommending a general convention.

1. Printed: Childs, *Debates*, 143–44.

666–667. New York Convention
Thursday, 24 July 1788

666. Convention Journal, 24 July 1788¹

THURSDAY, 10 o'Clock, A. M.
JULY 24th, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole, on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the chair, and Mr. Oothoudt reported, that the committee had made further progress, and had directed him to move for leave to sit again.

Ordered, That the committee have leave to sit again.

Then the Convention adjourned until ten of the clock to-morrow morning.

1. Printed: *Convention Journal*, 42.

667. Newspaper Report of Convention Proceedings and Debates, 24 July 1788

667-A. Massachusetts Centinel, 30 July¹

NEWS from NEW-YORK.

Extract of a letter from a gentleman of good information,
dated New-York, July 24, 1788.

“Our Convention have not yet come to a decision—but they will in a day or two—which, from the best information we can obtain, will be a *ratification*—a *recommendation of amendments*—with a proviso, *that if the amendments recommended, are not inserted within four years, that the State shall then be allowed to recede from the government.* This is a *covered rejection*—and will be considered as such by Congress.”

1. Reprinted: *New Hampshire Gazette*, 31 July; Portland, Maine, *Cumberland Gazette*, 7 August.

668. New York Convention
Friday, 25 July 1788

668. Convention Journal, 25 July 1788¹

FRIDAY, 10 o'Clock, A. M.
JULY 25th, 1788.

The Convention met pursuant to adjournment, and resolved itself into a committee of the whole, on the report of the Convention of the States lately assembled in Philadelphia, and the resolutions and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* re-assumed the Chair, and Mr. Oothoudt reported, that the committee had considered and debated the said Report of the Convention of the

States by clauses, and agreed to a declaration of Rights, a form of a Ratification of the said Report of the Convention of the States, with explanatory amendments, to be made to the said Report of the Convention of the States, or form of a Constitution; which he was directed to report to this Convention. Mr. Oothoudt read the report in his place, and delivered the same in at the table, where it was again read, and is in the words following, viz.

That on the 19th day of June last past, on motion of Mr. R. Livingston, it was, *Resolved*, That no question, general or particular, should be put in the Committee upon the proposed Constitution of Government for the United States, or upon any clause or article thereof, nor upon any amendment which should be proposed thereto, until after the said Constitution and amendments should have been considered clause by clause.

That the said proposed Constitution of Government having been read, was considered and debated by clauses, and afterwards sundry amendments were proposed thereto from day to day, until the eleventh day of July instant: On which day Mr. Jay moved for the following resolutions, viz.

Resolved, as the opinion of this Committee, that the Constitution under consideration, ought to be ratified by this Convention.

Resolved farther, as the opinion of this Committee, that such parts of the said Constitution as may be thought doubtful, ought to be explained, and that whatever amendments may be deemed useful, or expedient, ought to be recommended."

That debates were had on the said motion from day to day, (Sunday excepted) until the 15th day of July.

That on the said 15th day of July, Mr. M. Smith moved as an amendment, to add to the first resolution proposed by Mr. Jay, so that the same, as amended, should read as follows, viz.

Resolved, as the opinion of this Committee, that the Constitution under consideration ought to be ratified by this Convention: *Upon condition nevertheless*, That until a Convention shall be called and convened for proposing amendments to the said Constitution, the Militia of this State will not be continued in service out of this State for a longer term than six weeks, without the consent of the Legislature thereof: That the Congress will not make or alter any regulation in this State respecting the times, places and manner of holding elections for Senators or Representatives, unless the Legislature of this State shall neglect or refuse to make laws or regulations for the purpose; or from any circumstance be incapable of making the same; and that in those cases, such power will only be exercised until the Legislature of this State shall make provision in the premises: That no Excise will be imposed on any article of the growth, production, or manufacture of the United States, or any of them, within this State, ardent Spirits excepted: And that Congress will not lay direct Taxes within this State, but when the monies arising from the Impost and Excise shall be insufficient for the public exigencies; nor then, until Congress shall first have made a Requisition upon this State, to assess, levy and pay the amount of such Requisition, made agreeably to the Census fixed in the said Constitution, in such way and manner as the Legislature of this State shall judge best; but that in such case, if the State shall neglect or refuse to pay its

proportion pursuant to such Requisition, then the Congress may assess and levy this State's proportion, together with interest at the rate of six per centum per annum, from the time at which the same was required to be paid.

That debates were had on the said motion.

That on the 17th day of July, Mr. Duane made a motion, that the amendments proposed by Mr. M. Smith should be postponed, to take into consideration the propositions following, viz.

"WE the Delegates of the People of the State of New-York, in Convention assembled, having maturely considered the Constitution for the United States of America, agreed to on the seventeenth day of September, in the year one thousand seven hundred and eighty-seven, at Philadelphia, in the Commonwealth of Pennsylvania, by the Convention then and there convened; and having also seriously and deliberately considered the present situation of the United States, and being convinced that it is advisable to adopt the said Constitution, DO DECLARE AND MAKE KNOWN, in the name and behalf of the people aforesaid, That the powers granted in and by the said Constitution, being derived from the people of the United States, may be re-assumed by them whenever they shall judge it necessary to their happiness: That every power not granted thereby, remains either to them or to their respective State Governments, to whom they may have delegated the same: That therefore no right of any kind, either of the people of the respective States, or of the said Governments, can be cancelled, abridged, restrained or modified by Congress, or by any Officer or Department of the United States, except in conformity to the powers given by the said Constitution: That among other essential rights the liberty of conscience, and of the press, cannot be cancelled or abridged by any authority of the United States. With these impressions, with a firm reliance on the blessing of Providence upon a government framed under circumstances which afford a new and instructive example of wisdom and moderation to mankind; with an entire conviction that it will be more prudent to rely for whatever amendments may be desirable in the said Constitution, on the mode therein prescribed, than either to embarrass the Union, or to hazard dissensions in any part of the community, by pursuing a different course; and with a full confidence that the amendments which shall have been proposed will receive an early and mature consideration, and that such of them as may in any degree tend to the real security and permanent advantage of the people will be adopted;

"We the said Delegates, in the name and behalf of the people of this State, do by these presents assent to and ratify the Constitution aforesaid, hereby announcing to all those whom it may concern, that the said Constitution is binding upon the said people, according to an authentic copy hereto annexed, in the words following, (Here insert the Constitution.)

Done in Convention, at Poughkeepsie in the State of New-York, this — day of July, in the year of our Lord, one thousand seven hundred and eighty-eight.

By Order of the Convention.

And to the end that the sense of the people of this State may be manifested, touching certain parts of the said Constitution, concerning which doubts have been raised, WE the Delegates aforesaid, in the name and behalf of the people

aforesaid, do by these presents further declare and make known, that according to the true intent and meaning of the said Constitution, Congress ought not to interfere in the regulation of the times, places, and manner of holding elections for Senators and Representatives, except only in such cases in which the Legislature of the respective States, or any of them, may neglect, refuse, or be unable to make provision, or for the purpose of appointing an uniform time for the election of Representatives; and that the Legislature of any State may, at its discretion, lay out such State into convenient districts, for the election of Representatives, and may apportion its Representatives to and among such districts: And also, that except as to duties on imports and exports, or the post-office, and duties of tonnage, the United States, and the States respectively, have concurrent and co-equal authority to lay and collect all taxes whatever; and therefore, that neither of them can in any wise contravene, controul, or annul the operation or execution of any law of the other, for the imposition or collection of any tax, except as aforesaid: And also, that there must be once in every four years an election of the President and Vice-President; so that no Officer who may be appointed by Congress to act as President, in case of the removal, death, resignation, or inability of the President and Vice-President, can in any case continue to act beyond the termination of the period for which the last President and Vice-President were elected: And also, that the judicial power of the United States, in cases in which a State may be a party, does not extend to criminal prosecutions, or to any suit by private persons against a State; and that the appellate jurisdiction of the Supreme Court cannot authorise a second trial of the fact in any criminal case whatever, or a second trial of any fact determinable in the course of the common law by a Jury, and which shall have been so determined in the original cause: And lastly, that the process of presentment and indictment by a Grand Jury, ought to be observed in every prosecution for any crime, as a necessary preliminary to the trial thereof.

And in order that the foregoing declarations and constructions may be recognized and inviolably observed in the administration of the government of the United States, this Convention, in the name and behalf of the people aforesaid, do hereby enjoin it upon the Senators and Representatives of this State in the Congress, to procure, as soon as may be after the meeting of Congress, a declaratory act, in conformity to these presents.

Done in Convention, at Poughkeepsie, in the State of New-York, on the day, and in the year last aforesaid.

By Order of the Convention.

Amendments to the Constitution (attending the preceding) to be recommended.

I. That there shall be one Representative for every thirty thousand, according to the enumeration or census mentioned in the Constitution, until the whole number of Representatives amounts to two hundred; after which that number shall be continued or increased, but not diminished, as Congress shall direct, and according to such ratio as Congress shall fix, in conformity to the rule prescribed for the appointment of Representatives and direct taxes.

II. That the Court for the trial of impeachment shall consist of the Senate, the Judges of the Supreme Court of the United States, and the first or senior Judge for the time being of the highest Court of general and ordinary common law jurisdictions in each State: That Congress shall, by standing laws, designate the Courts in the respective States answering this description; and in States having no Courts exactly answering this description, shall designate some other Court, preferring such, if any there be, whose Judge or Judges may hold their places during good behaviour; provided, that not more than one Judge shall come from one State: That Congress be authorised to pass laws for compensating the said Judges, and for compelling their attendance; and that a majority at least of the said Judges shall be requisite to constituting the said Court: That no person impeached shall sit as a member thereof: That each member shall, previous to the entering upon any trial, take an oath or affirmation, honestly and impartially to hear and determine the cause; and that — of the members present shall be necessary to a conviction.

III. That the authority given to the Executives of the States to fill the vacancies of Senators be abolished, and that such vacancies be filled by the respective Legislatures.

IV. That the compensation for the Senators and Representatives be ascertained by standing laws; and that no alteration of the existing rate of compensation shall operate for the benefit of the Representatives, until after a subsequent election shall have been had.

V. That no appropriation of money, in time of peace, for the support of an army, shall be by less than two-thirds of the Representatives and Senators present.

VI. That the Executive shall not take the actual command in the field of an army, without the previous desire of Congress.

VII. That each State shall have power to provide for organizing, arming, and disciplining its militia, when no provision for that purpose shall have been made by Congress, and until such provision shall have been made; and that the militia shall never be subjected to martial law but in time of war, rebellion, or insurrection.

VIII. That the Journals of Congress shall be published at least once a year, with the exceptions of such parts relating to treaties or military operations, as in the judgment of either house shall require secrecy.

IX. That the judicial power of the United States shall extend to no controversy respecting land, unless it relate to claims of territory or jurisdiction between States, or to claims of land between individuals, or between States and individuals, under the grants of different States.

X. That no Judge of the Supreme Court shall hold any other office under the United States, or any of them.

XI. That when the number of persons in the district of territory to be laid out for the seat of the government of the United States shall, according to the rule for the apportionment of Representatives and direct taxes, amount to —, such district shall cease to be parcel of the State granting the same, and provision shall be made by Congress for their having a distinct representation in that body.

XII. That the Representatives, Senators, President, Vice-President, and Judges of the United States, shall each take an oath or affirmation not to infringe or violate the Constitutions of the respective States.

XIII. That no capitation tax shall ever be laid by Congress.

That debates arose on the said motion of Mr. Duane, and that the question having been put thereon (and on motion of Mr. Duane, the yeas and nays being taken) it passed in the negative in the manner following, viz.

For the Negative. [41]

Mr. R. Yates,	Mr. Cantine,	Mr. Wood,	Mr. Winn,
Mr. Lansing,	Mr. Schoonmaker,	Mr. Platt,	Mr. Veeder,
Mr. Vrooman,	Mr. Clark,	Mr. M. Smith,	Mr. Staring,
Mr. I. Thompson,	Mr. J. Clinton,	Mr. Swartwout,	Mr. Parker,
Mr. Ten Eyck,	Mr. Wynkoop,	Mr. Akins,	Mr. Williams,
Mr. Swart,	Mr. Schenck,	Mr. G. Livingston,	Mr. Baker,
Mr. Scudder,	Mr. Lawrence,	Mr. D'Witt,	Mr. Hopkins
Mr. Havens,	Mr. Carman,	Mr. Harper,	Mr. Van Ness,
Mr. J. Smith,	Mr. Haring,	Mr. C. Yates,	Mr. Bay,
Mr. Tredwell,	Mr. Woodhull,	Mr. Frey,	Mr. Adgate.
Mr. <i>President</i> ,			

For the Affirmative. [20]

Mr. Jay,	Mr. Roosevelt,	Mr. Lefferts,	Mr. P. Livingston,
Mr. R. Morris,	Mr. Duane,	Mr. Vandervoort,	Mr. Hatfield,
Mr. Hobart,	Mr. Harison,	Mr. Bancker,	Mr. Van Cortlandt,
Mr. Hamilton,	Mr. Low,	Mr. Ryerss,	Mr. Crane,
Mr. R. Livingston,	Mr. Jones,	Mr. L. Morris,	Mr. Sarls.

That on the 19th day of July, Mr. Lansing moved that the several other propositions before the committee be postponed, to take into consideration the draft of a Ratification and amendments, which are in the words following, viz.

WE the Delegates of the People of the State of New-York, duly elected and met in Convention, having maturely considered the Constitution for the United States of America, agreed to on the 17th day of September, in the year 1787, by the Convention then assembled at Philadelphia, in the Commonwealth of Pennsylvania (a copy whereof precedes these presents) and having also seriously and deliberately considered the present situation of the United States, DO DECLARE AND MAKE KNOWN,

That all power is originally vested in, and consequently derived from the people; and that government is instituted by them for their common interest, protection and security: That the enjoyment of life, liberty, and the pursuit of happiness, are essential rights, which every government ought to respect and preserve.

That the powers of government may be re-assumed by the people, whensoever it shall become necessary to their happiness: That every power, jurisdiction and right, which is not by the said Constitution clearly delegated to the Congress of the United States, or the departments of the government thereof, remains to the people of the several States, or to their respective State Governments, to whom they may have granted the same: And that those clauses in the said Constitution, which declare that Congress shall not have or exercise certain powers, do not imply that Congress is entitled to any powers not given by the said Con-

stitution; but such clauses are to be construed either as exceptions to certain specified powers, or as inserted merely for greater caution.

That the people have an equal, natural, and unalienable right freely and peaceably to exercise their religion, according to the dictates of conscience; and that no religious sect or society ought to be favoured or established by law in preference of others.

That the people have a right to keep and bear arms: That a well regulated militia, including the body of the people *capable of bearing arms*, is the proper, natural and safe defence of a free State: That the militia should not be subject to martial law, except in time of war, rebellion or insurrection.

That standing armies in time of peace are dangerous to liberty, and ought not to be kept up, except in cases of necessity; and that at all times the military should be under strict subordination to the civil power.

That in time of peace no soldier ought to be quartered in any house, without the consent of the owner, and in time of war only by the civil Magistrate, in such manner as the laws may direct.

That no person ought to be taken, imprisoned, or disseized of his freehold, or be exiled, or deprived of his privileges, franchises, life, liberty, or property, but by due process of law.

That no person ought to be put twice in jeopardy of life or limb for one and the same offence, nor unless in case of impeachment, be punished more than once for the same offence.

That every person restrained of his liberty is entitled to an enquiry into the lawfulness of such restraint, and to a removal thereof, if unlawful; and that such inquiry and removal ought not to be denied or delayed, except when on account of public danger, the Congress shall suspend the privilege of the writ of *habeas corpus*.

That excessive bail ought not to be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted.

That (except in the government of the land and naval forces, and of the militia when in actual service, and in cases of impeachment) a presentment or indictment by a Grand Jury, ought to be observed as a necessary preliminary to the trial of all crimes *cognizable by the Judiciary of the United States*; and such trial should be speedy, public, and by an impartial Jury of the county where the crime was committed; and that no person can be found guilty, without the unanimous consent of such Jury. But in cases of crimes not committed within any county of any of the United States, and in cases of crimes committed within any county in which a general insurrection may prevail, or which may be in the possession of a foreign enemy, the enquiry and trial may be in such county as the Congress shall by law direct; which county, in the two cases last mentioned, should be as near as conveniently may be to that county in which the crime may have been committed: And that in all criminal prosecutions the accused ought to be informed of the cause and nature of his accusation, to be confronted with his accusers and the witnesses against him, to have the means of producing his witnesses, and the assistance of counsel for his defence, and should not be compelled to give evidence against himself.

That the trial by Jury, in the extent that it obtains by the common law of England, is one of the greatest securities to the rights of a free people, and ought to remain inviolate.

That every freeman has a right to be secure from all unreasonable searches and seizures of his person, his papers, or his property; and therefore that all warrants to search suspected places, or seize any freeman, his papers or property, without information upon oath, or affirmation of sufficient cause, are grievous and oppressive; and that all general warrants (or such in which the place or person suspected, are not particularly designated) are dangerous and ought not to be granted.

That the people have a right peaceably to assemble together to consult for their common good, or to instruct their representatives, and that every person has a right to petition or apply to the Legislature for redress of grievances.

That the freedom of the press ought not to be violated or restrained.

That there should be once in four years an election of the President and Vice-President, so that no officer who may be appointed by the Congress to act as President in case of the removal, death, resignation or inability of the President and Vice-President can in any case continue to act beyond the termination of the period for which the last President and Vice-President were elected.

That nothing contained in the said Constitution is to be construed to prevent the Legislature of any State from passing laws at its discretion from time to time, to divide such State into convenient districts, and to apportion its representatives to and amongst such districts.

That the prohibition contained in the said Constitution against *ex post facto* laws, extends only to laws concerning crimes.

That all appeals in causes determinable according to the course of the common law, ought to be by writ of error, and not otherwise.

That the judicial power of the United States, in cases in which a State may be a party, does not extend to criminal prosecutions, or to authorize any suit by any person against a State.

That the judicial power of the United States, as to controversies between citizens of the same State claiming lands under grants of different States, is not to be construed to extend to any other controversies between them, except those which relate to such lands, so claimed under grants of different States.

That the jurisdiction of the Supreme Court of the United States, or of any other Court to be instituted by the Congress, is not in any case to be increased, enlarged or extended by any fiction, collusion or mere suggestion: And that no treaty is to be construed so to operate as to alter the Constitution of any State. And with a firm reliance, *and on the express condition*, that the rights aforesaid will not, and shall not be lost, abridged or violated, and that the said Constitution shall in the cases above particularised, receive the constructions herein before expressed, with a solemn appeal to the Searcher of Hearts for the purity of our intentions; and in the confidence that such imperfections as may exist in the Constitution will as soon as possible be submitted to the consideration of a general Convention, We the said Delegates, in the name and in the behalf of the

People of the State of New-York, do by these presents assent to and ratify the said Constitution: UPON CONDITION NEVERTHELESS, That until a Convention shall be called and convened for proposing amendments to the said Constitution—the Militia of this State will not be continued in service out of this State for a longer term than six weeks, without the consent of the Legislature thereof. That the Congress will not make or alter any regulation in this State respecting the times, places and manner of holding elections for Senators or Representatives, unless the Legislature of this State shall neglect or refuse to make laws or regulations for the purpose, or from any circumstance be incapable of making the same; and that in those cases such power will only be exercised until the Legislature of this State shall make provision in the premises. That no excise will be imposed on any article of the growth, production or manufacture of the United States or any of them, within this State, ardent spirits excepted: And that Congress will not lay direct Taxes within this State, but when the monies arising from the Impost and Excise shall be insufficient for the public exigencies, nor then until Congress shall first have made a requisition upon this State to assess, levy and pay the amount of such *requisition* made agreeably to the census fixed in the said Constitution, in such way and manner as the Legislature of this State shall judge best; but that in such case, if the State shall neglect or refuse to pay its proportion pursuant to such requisition, then the Congress may assess and levy this State's proportion, together with interest at the rate of six per centum per annum, from the time at which the same was required to be paid.

Done in Convention at Poughkeepsie, in the County of Dutchess, in the State of New-York, the twenty- day of July, in the year of our Lord, 1788.

By Order of the Convention.

And the Convention do in the name and behalf of the people of the State of New-York, enjoin it upon their representatives in the Congress, to exert all their influence and use all reasonable means to obtain a ratification of the following amendments to the said Constitution in the manner prescribed therein, and in all laws to be passed by the Congress in the mean time, to conform to the spirit of the said amendments as far as the Constitution will admit.

That there shall be one Representative for every thirty thousand inhabitants, according to the enumeration or census mentioned in the Constitution, until the whole number of Representatives amounts to two hundred; after which that number shall be continued or increased, but not diminished, as Congress shall direct, and according to such ratio as the Congress shall fix, in conformity to the rule prescribed for the appointment of Representatives and direct taxes.

That the Congress do not impose any excise on any article (except ardent spirits) of the growth, production or manufacture of the United States, or any of them.

That Congress will not lay direct taxes but when the monies arising from the Impost and Excise shall be insufficient for the public exigencies, nor then, until Congress shall first have made a requisition upon the States to assess, levy and pay their respective proportions of such requisition, agreeably to the census fixed in the said Constitution, in such way and manner as the Legislatures of the

respective States shall judge best; and in such case if any State shall neglect or refuse to pay its proportion pursuant to such requisition, then Congress may assess and levy such State's proportion, together with interest at the rate of six per centum per annum, from the time of payment prescribed in such requisition.

That the Congress shall not make or alter any regulation in any State respecting the times, places and manner of holding elections for Senators or Representatives, unless the Legislature of such State shall neglect or refuse to make laws or regulations for the purpose, or from any circumstance be incapable of making the same, and then only until the Legislature of such State shall make provision in the premises; provided, that the Congress may prescribe the time for the election of Representatives.

That the Congress do not grant monopolies, or erect any company with exclusive advantages of commerce.

That no standing army or regular troops shall be raised, or kept up in time of peace, without the consent of two-thirds of the Senators and Representatives present in each House.

That no money be borrowed on the credit of the United States, without the assent of two-thirds of the Senators and Representatives present in each House.

That the Congress shall not declare war without the concurrence of two-thirds of the Senators and Representatives present in each House.

That the privilege of the Habeas Corpus shall not by any law, be suspended for a longer term than six months, or until twenty days after the meeting of the Congress, next following the passing of the act for such suspension.

That the right of the Congress to exercise exclusive legislation over such district, not exceeding ten miles square, as may by cession of a particular State and the acceptance of Congress, become the seat of the government of the United States, shall not be so exercised as to exempt the inhabitants of such district from paying the like taxes, imposts, duties and excises as shall be imposed on the other inhabitants of the State in which such district may be; and that no person shall be privileged within the said district from arrest, for crimes committed or debts contracted out of the said district.

That the right of exclusive legislation, with respect to such places as may be purchased for the erection of forts, magazines, arsenals, dock yards, and other needful buildings, shall not authorize the Congress to make any law to prevent the laws of the States respectively in which they may be from extending to such places in all civil and criminal matters, except as to such persons as shall be in the service of the United States, nor to them, with respect to crimes committed without such places.

That the compensation for the Senators and Representatives be ascertained by standing laws, and that no alteration of the existing rate of compensation shall operate for the benefit of the Representatives, until after a subsequent election shall have been had.

That the journals of the Congress shall be published at least once a year, with the exceptions of such parts relating to treaties or military operations as in the judgment of either House shall require secrecy; and that both Houses of Con-

gress shall always keep their doors open during their sessions, unless the business may in their opinion require secrecy. That the yeas and nays shall be entered on the journals whenever two members in either House may require it.

That no capitation tax shall ever be laid by the Congress.

That no person be eligible as a Senator for more than six years in any term of twelve years; and that the Legislatures of the respective States may recal their Senators, or either of them, and elect others in their stead, to serve the remainder of the time for which the Senators so recalled, were appointed.

That no Senator or Representative shall during the time for which he was elected, be appointed to any office under the authority of the United States.

That the authority given to the executives of the States to fill the vacancies of Senators be abolished, and that such vacancies be filled by the respective Legislatures.

That the power of Congress to pass uniform laws concerning bankruptcy, shall only extend to merchants and other traders, and that the States respectively may pass laws for the relief of other insolvent debtors.

That no person shall be eligible to the office of President of the United States a third time.

That the Executive shall not grant pardons for treason, unless with the consent of the Congress, but may, at his discretion, grant reprieves to persons convicted of treason, until their cases can be laid before the Congress.

That the President, or person exercising his powers for the time being, shall not command an army in the field, in person, without the previous desire of the Congress.

That the Congress appoint, in such manner as they may think proper, a Council to advise the President in the appointment of officers: That the said Council shall not continue in office for a longer term than four years: That they shall keep a record of their proceedings, and sign the same, and be impeachable for mal conduct in office: That the Counsellors shall have a reasonable allowance for their services, fixed by standing laws: And that no man shall be elected a Counsellor, who shall not have attained the age of thirty-five years, and who is not either a natural born citizen of the United States, or has become a citizen of one of them before the fourth day of July, in the year one thousand seven hundred and seventy-six.

That all *letters patent*, commissions, pardons, writs and process of the United States, shall run in the name of *the people of the United States*, and be tested in the name of the President of the United States, or the person exercising his powers for the time being, or the first Judge of the Court out of which the same shall issue, as the case may be.

That the Congress shall not constitute, ordain, or establish any tribunal or inferior Courts with any other than appellate jurisdiction, except such as may be necessary for the trial of causes of admiralty and maritime jurisdiction, and for the trial of piracies and felonies committed on the high seas, and in all other cases to which the judicial power of the United States extends, and in which the Supreme Court of the United States has not original jurisdiction, the causes shall be heard, tried, and determined, in some one of the State Courts, with the right

of appeal to the Supreme Court of the United States, or other proper Tribunal to be established for that purpose by the Congress, with such exceptions and under such regulations as the Congress shall make.

That the Court for the trial of Impeachments, shall consist of the Senate, the Judges of the Supreme Court of the United States, and the first or senior Judge for the time being, of the highest Court of the general and ordinary common-law jurisdiction in each State: That the Congress shall by standing laws, designate the Courts in the respective States, answering this description, and in States having no Courts exactly answering this description, shall designate some other Court prefer[r]ing such, if any there be, whose Judge or Judges may hold their places during good behaviour: Provided, that not more than one Judge, other than Judges of the Supreme Court of the United States, shall come from one State: That the Congress be authorised to pass laws for compensating the said Judges for such services, and for compelling their attendance; and that a majority, at least, of the said Judges shall be requisite to constitute the said Court: That no person impeached shall sit as a member thereof: That each member shall, previous to his entering upon any trial, take an oath or affirmation, honestly and impartially to hear and determine the cause; and that a majority of the members present shall be necessary to a conviction.

That persons aggrieved by any judgment, sentence or decree of the Supreme Court of the United States in any cause in which that Court has original jurisdiction, *with such exceptions*, and under such regulations, as the Congress shall make concerning the same, shall upon application have a commission, to be issued by the President of the United States, to such men learned in the law as he shall nominate, and by and with the advice and consent of the Senate, appoint not less than seven, authorising such Commissioners, or any seven or more of them, to correct the errors in such judgment, or to review such sentence and decree, as the case may be, and to do justice to the parties in the premises.

That no Judge of the Supreme Court of the United States shall hold any other office under the United States or any of them.

That the judicial power of the United States shall extend to no controversies respecting land, unless it relate to claims of territory or jurisdiction between States, or to claims of lands between individuals, or between States and individuals, under the grants of different States.

That the militia of any State shall not be compelled to serve without the limits of the State for a longer term than six weeks, without the consent of the Legislature thereof.

That the words *without the consent of the Congress* in the 7th clause of the 9th section of the first article of the Constitution, be expunged.

That the Senators and Representatives, and all executive and judicial officers of the United States, shall be bound by oath or affirmation, not to infringe or violate the Constitutions or Rights of the respective States.

That the Legislatures of the respective States may make provision by law, that the Electors of the Election District to be by them appointed, shall chuse a citizen of the United States, who shall have been an inhabitant of such District for the term of one year immediately preceding the time of his election for one of the Representatives of such State.

Done in Convention, at Poughkeepsie in the County of Dutchess, in the State of New-York, the — day of July, in the year of our Lord, one thousand seven hundred and eighty-eight.

By Order of the Convention.

That debates arose on the said motion, and that the question having been put thereon, (and on motion of Mr. Lansing the yeas and nays being taken) it was carried in the affirmative in the manner following, viz.

For the Affirmative. [41]

Mr. R. Yates,	Mr. Schoonmaker,	Mr. Wood,	Mr. Winn,
Mr. Lansing,	Mr. Clark,	Mr. Platt,	Mr. Veeder,
Mr. Vrooman,	Mr. J. Clinton,	Mr. M. Smith,	Mr. Staring,
Mr. I. Thompson,	Mr. Wynkoop,	Mr. Swartwout,	Mr. Parker,
Mr. Ten Eyck,	Mr. Jones,	Mr. Akins,	Mr. Williams,
Mr. Scudder,	Mr. Schenck,	Mr. G. Livingston,	Mr. Baker,
Mr. Havens,	Mr. Lawrence,	Mr. D'Witt,	Mr. Hopkins,
Mr. J. Smith,	Mr. Carman,	Mr. Harper,	Mr. Van Ness,
Mr. Tredwell,	Mr. Haring,	Mr. C. Yates,	Mr. Bay,
Mr. <i>President</i> ,	Mr. Woodhull,	Mr. Frey,	Mr. Adgate.
Mr. Cantine,			

For the Negative. [18]

Mr. Jay,	Mr. Roosevelt,	Mr. Vandervoort,	Mr. Hatfield,
Mr. R. Morris,	Mr. Duane,	Mr. Bancker,	Mr. Van Cortlandt,
Mr. Hobart,	Mr. Harison,	Mr. Ryerss,	Mr. Crane,
Mr. Hamilton,	Mr. Low,	Mr. P. Livingston,	Mr. Sarlls.
Mr. R. Livingston,	Mr. Lefferts,		

That the Committee proceeded to the consideration of the said proposed Ratification and amendments, and debates were had thereon.

That on the 21st day of July, one of the proposed amendments, was again read, in the words following, viz.

“That the Congress do not impose any excise on any article (except ardent spirits) of the growth, production or manufacture of the United States, or any of them.”

That debates were had on the said proposed amendment, and that the question being put, whether the committee did agree to the same, (and on motion of Mr. Hamilton the yeas and nays being taken) it was carried in the affirmative in the manner following, viz.

For the Affirmative. [38]

Mr. R. Yates,	Mr. Schoonmaker,	Mr. Platt,	Mr. Veeder,
Mr. Lansing,	Mr. Clark,	Mr. M. Smith,	Mr. Staring,
Mr. Vrooman,	Mr. J. Clinton,	Mr. Swartwout,	Mr. Parker,
Mr. I. Thompson,	Mr. Wynkoop,	Mr. Akins,	Mr. Williams,
Mr. Ten Eyck,	Mr. Jones,	Mr. D'Witt,	Mr. Baker,
Mr. Scudder,	Mr. Schenck,	Mr. Harper,	Mr. Hopkins,
Mr. Havens,	Mr. Lawrence,	Mr. C. Yates,	Mr. Van Ness,
Mr. J. Smith,	Mr. Carman,	Mr. Frey,	Mr. Bay,
Mr. Tredwell,	Mr. Woodhull,	Mr. Winn,	Mr. Adgate.
Mr. <i>President</i> ,	Mr. Wood,		

For the Negative. [16]

Mr. Jay,	Mr. R. Livingston,	Mr. Low,	Mr. Ryerss,
Mr. R. Morris,	Mr. Roosevelt,	Mr. Lefferts,	Mr. P. Livingston,
Mr. Hobart,	Mr. Duane,	Mr. Vandervoort,	Mr. Crane,
Mr. Hamilton,	Mr. Harison,	Mr. Bancker,	Mr. Sarlls.

That the next following clause of the proposed amendments being again read, is in the words following, viz.

“That Congress will not lay direct taxes but when the monies arising from the Impost and Excise shall be insufficient for the public exigencies, nor then, until Congress shall first have made a requisition upon the States to assess, levy and pay their respective proportions of such requisition, agreeably to the census fixed in the said Constitution, in such way and manner as the Legislatures of the respective States shall judge best; and in such case if any State shall neglect or refuse to pay its proportion pursuant to such requisition, then Congress may assess and levy such State’s proportion, together with interest at the rate of six per centum per annum, from the time of payment prescribed in such requisition.”

That debates were had on the clause last read, and that the question being put, whether the Committee did agree to the same, (and on motion of Mr. Hamilton the yeas and nays being taken) it was carried in the affirmative, in the manner following, viz.

For the Affirmative. [38]

Mr. R. Yates,	Mr. Schoonmaker,	Mr. Platt,	Mr. Veeder,
Mr. Lansing,	Mr. Clark,	Mr. M. Smith,	Mr. Staring,
Mr. Vrooman,	Mr. J. Clinton,	Mr. Swartwout,	Mr. Parker,
Mr. I. Thom[p]son,	Mr. Wynkoop,	Mr. Akins,	Mr. Williams,
Mr. Ten Eyck,	Mr. Jones,	Mr. D’Witt,	Mr. Baker,
Mr. Scudder,	Mr. Schenck,	Mr. Harper,	Mr. Hopkins,
Mr. Havens,	Mr. Lawrence,	Mr. C. Yates,	Mr. Van Ness,
Mr. J. Smith,	Mr. Carman,	Mr. Frey,	Mr. Bay,
Mr. Tredwell,	Mr. Woodhull,	Mr. Winn,	Mr. Adgate.
Mr. <i>President</i> ,	Mr. Wood,		

For the Negative. [16]

Mr. Jay,	Mr. R. Livingston,	Mr. Low,	Mr. Ryerss,
Mr. R. Morris,	Mr. Roosevelt,	Mr. Lefferts,	Mr. P. Livingston,
Mr. Hobart,	Mr. Duane,	Mr. Vandervoort,	Mr. Crane,
Mr. Hamilton,	Mr. Harison,	Mr. Bancker,	Mr. Sarlls.

That another of the proposed amendments was again read, in the words following, viz.

“That no standing army or regular troops shall be *raised or* kept up in time of peace without the consent of two-thirds of the Senators and Representatives present in each House.”

That Mr. Hamilton moved that the clause last read should be expunged, and the following substituted in its stead, viz.

“That no appropriation of money in time of peace for the support of an army, shall be by less than two-thirds of the Representatives and Senators present.”

That debates were had on the clause last read, and proposed to be substituted. That the question having been put, whether the committee did agree to the

same, (and on motion of Mr. Hamilton the yeas and nays being taken) it passed in the negative in the manner following, viz.

For the Negative. [38]

Mr. R. Yates,	Mr. Clark,	Mr. Platt,	Mr. Veeder,
Mr. Lansing,	Mr. J. Clinton,	Mr. M. Smith,	Mr. Staring,
Mr. Vrooman,	Mr. Wynkoop,	Mr. Swartwout,	Mr. Parker,
Mr. I. Thompson,	Mr. Jones,	Mr. Akins,	Mr. Williams,
Mr. Ten Eyck,	Mr. Schenck,	Mr. D'Witt,	Mr. Baker,
Mr. Scudder,	Mr. Lawrence,	Mr. Harper,	Mr. Hopkins,
Mr. Havens,	Mr. Carman,	Mr. C. Yates,	Mr. Van Ness,
Mr. J. Smith,	Mr. Lefferts,	Mr. Frey,	Mr. Bay,
Mr. Tredwell,	Mr. Woodhull,	Mr. Winn,	Mr. Adgate.
Mr. Schoonmaker,	Mr. Wood,		

For the Affirmative. [14]

Mr. Jay,	Mr. Roosevelt,	Mr. Vandervoort,	Mr. P. Livingston,
Mr. R. Morris,	Mr. Duane,	Mr. Bancker,	Mr. Crane,
Mr. Hamilton,	Mr. Harison,	Mr. Ryerss,	Mr. Sarlls.
Mr. R. Livingston,	Mr. Low,		

That Mr. Jay then made a motion, that the words *raised or* in the amendment originally proposed, should be obliterated.

That the question being put, whether the Committee did agree to obliterate the words aforesaid, (and on motion of Mr. Bay the yeas and nays being taken) it passed in the negative in the manner following, viz.

For the Negative. [29]

Mr. R. Yates,	Mr. Schoonmaker,	Mr. D'Witt,	Mr. Parker,
Mr. Lansing,	Mr. Clark,	Mr. Harper,	Mr. Williams,
Mr. Vrooman,	Mr. J. Clinton,	Mr. C. Yates,	Mr. Baker,
Mr. I. Thompson,	Mr. Wynkoop,	Mr. Frey,	Mr. Hopkins,
Mr. Ten Eyck,	Mr. Wood,	Mr. Winn,	Mr. Van Ness,
Mr. Scudder,	Mr. M. Smith,	Mr. Veeder,	Mr. Bay,
Mr. J. Smith,	Mr. Swartwout,	Mr. Staring,	Mr. Adgate.
Mr. Tredwell,			

For the Affirmative. [23]

Mr. Jay,	Mr. Duane,	Mr. Lawrence,	Mr. P. Livingston,
Mr. R. Morris,	Mr. Harison,	Mr. Carman,	Mr. Crane,
Mr. Hobart,	Mr. Low,	Mr. Lefferts,	Mr. Sarlls,
Mr. Hamilton,	Mr. Havens,	Mr. Vandervoort,	Mr. Woodhull,
Mr. R. Livingston,	Mr. Jones,	Mr. Bancker,	Mr. Platt.
Mr. Roosevelt,	Mr. Schenck,	Mr. Ryerss,	

That the question being then put, whether the Committee did agree to the said amendment, it was carried in the affirmative.

That another of the proposed amendments was again read, in the words following, viz.

“That no person be eligible as a Senator for more than six years in any term of twelve years: And that the Legislatures of the respective States may recal their Senators, or either of them, and elect others in their stead, to serve the remainder of the time for which the Senators so recalled, were appointed.”

That the question having been put, whether the Committee did agree to the same, (and on motion of Mr. Hamilton the yeas and nays being taken) it was carried in the affirmative in the manner following, viz.

For the Affirmative. [36]

Mr. R. Yates,	Mr. <i>President</i> ,	Mr. Platt,	Mr. Veeder,
Mr. Lansing,	Mr. Schoonmaker,	Mr. M. Smith,	Mr. Staring,
Mr. Vrooman,	Mr. Clark,	Mr. Swartwout,	Mr. Parker,
Mr. I. Thompson,	Mr. J. Clinton,	Mr. Akins,	Mr. Williams,
Mr. Ten Eyck,	Mr. Wynkoop,	Mr. D'Witt,	Mr. Baker,
Mr. Scudder,	Mr. Schenck,	Mr. Harper,	Mr. Hopkins,
Mr. Havens,	Mr. Lawrence,	Mr. C. Yates,	Mr. Van Ness,
Mr. J. Smith,	Mr. Carman,	Mr. Frey,	Mr. Bay,
Mr. Tredwell,	Mr. Wood,	Mr. Winn,	Mr. Adgate.

For the Negative. [18]

Mr. Jay,	Mr. Roosevelt,	Mr. Lefferts,	Mr. P. Livingston,
Mr. R. Morris,	Mr. Duane,	Mr. Vandervoort,	Mr. Crane,
Mr. Hobart,	Mr. Harison,	Mr. Bancker,	Mr. Sarlls,
Mr. Hamilton,	Mr. Low,	Mr. Ryerss,	Mr. Woodhull.
Mr. R. Livingston,	Mr. Jones,		

That another of the proposed amendments was again read, in the words following, viz.

“That no Senator or Representative shall during the time for which he was elected, be appointed to any office under the authority of the United States.”

That debates were had on the said proposed amendment.

That the question having been put, whether the Committee did agree to the same, (and on motion of Mr. Hamilton the yeas and nays being taken) it was carried in the affirmative in the manner following, viz.

For the Affirmative. [35]

Mr. R. Yates,	Mr. <i>President</i> ,	Mr. M. Smith,	Mr. Staring,
Mr. Lansing,	Mr. Schoonmaker,	Mr. Swartwout,	Mr. Parker,
Mr. Vrooman,	Mr. Clark,	Mr. Akins,	Mr. Williams,
Mr. I. Thom[p]son,	Mr. J. Clinton,	Mr. D'Witt,	Mr. Baker,
Mr. Ten Eyck,	Mr. Wynkoop,	Mr. Harper,	Mr. Hopkins,
Mr. Scudder,	Mr. Carman,	Mr. C. Yates,	Mr. Van Ness,
Mr. Havens,	Mr. Woodhull,	Mr. Frey,	Mr. Bay,
Mr. J. Smith,	Mr. Wood,	Mr. Winn,	Mr. Adgate.
Mr. Tredwell,	Mr. Platt,	Mr. Veeder,	

For the Negative. [19]

Mr. Jay,	Mr. Roosevelt,	Mr. Schenck,	Mr. Mr. Ryerss,
Mr. R. Morris,	Mr. Duane,	Mr. Lawrence,	Mr. P. Livingston,
Mr. Hobart,	Mr. Harison,	Mr. Lefferts,	Mr. Crane,
Mr. Hamilton,	Mr. Low,	Mr. Vandervoort,	Mr. Sarlls.
Mr. R. Livingston,	Mr. Jones,	Mr. Bancker,	

That another of the proposed amendments was again read, in the words following, viz.

“That no money be borrowed on the credit of the United States without the assent of two-thirds of the Senators and Representatives present in each House.”

That debates were had on the clause last read.

That the question having been put, whether the Committee did agree to the same, (and on motion of Mr. Hamilton the yeas and nays being taken) it was carried in the affirmative in the manner following, viz.

For the Affirmative. [38]

Mr. R. Yates,	Mr. Schoonmaker,	Mr. Platt,	Mr. Veeder,
Mr. Lansing,	Mr. Clark,	Mr. M. Smith,	Mr. Staring,
Mr. Vrooman,	Mr. J. Clinton,	Mr. Swartwout,	Mr. Parker,
Mr. I. Thompson,	Mr. Wynkoop,	Mr. Akins,	Mr. Williams,
Mr. Ten Eyck,	Mr. Jones,	Mr. D'Witt,	Mr. Baker,
Mr. Scudder,	Mr. Schenck,	Mr. Harper,	Mr. Hopkins,
Mr. Havens,	Mr. Lawrence,	Mr. C. Yates,	Mr. Van Ness,
Mr. J. Smith,	Mr. Carman,	Mr. Frey,	Mr. Bay,
Mr. Tredwell,	Mr. Woodhull,	Mr. Winn,	Mr. Adgate.
Mr. <i>President</i> ,	Mr. Wood,		

For the Negative. [16]

Mr. Jay,	Mr. R. Livingston,	Mr. Low,	Mr. Ryerss,
Mr. R. Morris,	Mr. Roosevelt,	Mr. Lefferts,	Mr. P. Livingston,
Mr. Hobart,	Mr. Duane,	Mr. Vandervoort,	Mr. Crane,
Mr. Hamilton,	Mr. Harison,	Mr. Bancker,	Mr. Sarlls.

That on the 22d day of July, another of the proposed amendments was again read, in the words following, viz.

“That the Congress appoint, in such manner as they may think proper, a Council to advise the President in the appointment of officers: That the said Council shall not continue in office for a longer term than four years: That they shall keep a record of their proceedings, and sign the same, and be impeachable for mal-conduct in office: That the Counsellors shall have a reasonable allowance for their services, fixed by standing laws: And that no man shall be elected a Counsellor, who shall not have attained the age of thirty-five years, and who is not either a natural born citizen of the United States, or has become a citizen of one of them before the fourth day of July, in the year one thousand seven hundred and seventy-six.”

That debates were had on the proposed amendment last read.

That the question having been put, whether the Committee did agree to the same, (and on motion of Mr. Hamilton the yeas and nays being taken) it passed in the negative in the manner following, viz.

For the Negative. [46]

Mr. Jay,	Mr. Scudder,	Mr. Vandervoort,	Mr. Platt,
Mr. R. Morris,	Mr. Havens,	Mr. Bancker,	Mr. Akins,
Mr. Hobart,	Mr. J. Smith,	Mr. Ryerss,	Mr. D'Witt,
Mr. Hamilton,	Mr. <i>President</i> ,	Mr. P. Livingston,	Mr. C. Yates,
Mr. R. Livingston,	Mr. Schoonmaker,	Mr. Hatfield,	Mr. Frey,
Mr. Roosevelt,	Mr. Clark,	Mr. Van Cortlandt,	Mr. Winn,
Mr. Duane,	Mr. J. Clinton,	Mr. Crane,	Mr. Veeder,
Mr. Harison,	Mr. Wynkoop,	Mr. Sarlls,	Mr. Staring,
Mr. Low,	Mr. Jones,	Mr. Haring,	Mr. Parker,
Mr. R. Yates,	Mr. Lawrence,	Mr. Woodhull,	Mr. Williams,
Mr. I. Thompson,	Mr. Carman,	Mr. Wood,	Mr. Bay.
Mr. Ten Eyck,	Mr. Lefferts,		

For the Affirmative. [10]

Mr. Lansing,	Mr. M. Smith,	Mr. Harper,	Mr. Van Ness,
Mr. Tredwell,	Mr. Swartwout,	Mr. Baker,	Mr. Adgate.
Mr. Schenck,	Mr. G. Livingston,		

That another of the proposed amendments was again read, in the words following, viz.

“That the Congress shall not declare war without the concurrence of two-thirds of the Senators and Representatives present in each House.”

That debates were had on the said proposed amendment: and that the question having been put, whether the Committee did agree to the same, (and on motion of Mr. R. Livingston the yeas and nays being taken) it was carried in the affirmative in the manner following, viz.

For the Affirmative. [32]

Mr. R. Yates,	Mr. Clark,	Mr. Wood,	Mr. Winn,
Mr. Lansing,	Mr. J. Clinton,	Mr. Swartwout,	Mr. Veeder,
Mr. I. Thompson,	Mr. Wynkoop,	Mr. Akins,	Mr. Staring,
Mr. Ten Eyck,	Mr. Schenck,	Mr. G. Livingston,	Mr. Parker,
Mr. Scudder,	Mr. Lawrence,	Mr. D'Witt,	Mr. Baker,
Mr. Tredwell,	Mr. Carman,	Mr. Harper,	Mr. Van Ness,
Mr. <i>President</i> ,	Mr. Haring,	Mr. C. Yates,	Mr. Bay,
Mr. Schoonmaker,	Mr. Woodhull,	Mr. Frey,	Mr. Adgate.

For the Negative. [25]

Mr. Jay,	Mr. Harison,	Mr. Vandervoort,	Mr. Crane,
Mr. R. Morris,	Mr. Low,	Mr. Bancker,	Mr. Sarl[1],
Mr. Hobart,	Mr. Havens,	Mr. Ryerss,	Mr. Platt,
Mr. Hamilton,	Mr. J. Smith,	Mr. P. Livingston,	Mr. M. Smith,
Mr. R. Livingston,	Mr. Jones,	Mr. Hatfield,	Mr. Williams,
Mr. Roosevelt,	Mr. Lefferts,	Mr. Van Cortlandt,	Mr. Hopkins.
Mr. Duane,			

That another of the said amendments was again read, in the words following, viz.

“That the right of the Congress to exercise exclusive legislation over such district, not exceeding ten miles square, as may by cession of a particular State and the acceptance of Congress, become the seat of the government of the United States, shall not be so exercised as to exempt the inhabitants of such district from paying the like taxes, imposts, duties and excises as shall be imposed on the other inhabitants of the State in which such district may be; and that no person shall be privileged within the said district from arrest, for crimes committed or debts contracted out of the said district.”

That the last mentioned amendment having been read, Mr. Hamilton moved that the same should be obliterated, and the following inserted in its stead, viz.

“That when the number of persons in the District of Territory to be laid out for the seat of the government of the United States, shall according to the rule for the apportionment of representatives and direct taxes, amount to such district shall cease to be parcel of the State granting the same, and provision shall be made by Congress, for their having a distinct representation in that body.”

That debates were had on the clause proposed by the motion of Mr. Hamilton, to be substituted; and that the question having been put, whether the committee did agree to the same, (and on motion of Mr. Lansing the yeas and nays being taken) it passed in the negative in the manner following, viz.

For the Negative. [39]

Mr. R. Livingston,	Mr. Schoonmaker,	Mr. Platt,	Mr. Veeder,
Mr. R. Yates,	Mr. Clark,	Mr. M. Smith,	Mr. Staring,
Mr. Lansing,	Mr. J. Clinton,	Mr. Swartwout,	Mr. Parker,
Mr. I. Thompson,	Mr. Wynkoop,	Mr. Akins,	Mr. Williams,
Mr. Ten Eyck,	Mr. Schenck,	Mr. G. Livingston,	Mr. Baker,
Mr. Scudder,	Mr. Lawrence,	Mr. D'Witt,	Mr. Hopkins,
Mr. Havens,	Mr. Carman,	Mr. Harper,	Mr. Van Ness,
Mr. J. Smith,	Mr. Haring,	Mr. C. Yates,	Mr. Bay,
Mr. Tredwell,	Mr. Woodhull,	Mr. Frey,	Mr. Adgate.
Mr. <i>President</i> ,	Mr. Wood,	Mr. Winn,	

For the Affirmative. [18]

Mr. Jay,	Mr. Duane,	Mr. Vandervoort,	Mr. Hatfield,
Mr. R. Morris,	Mr. Harison,	Mr. Bancker,	Mr. Van Cortlandt,
Mr. Hobart,	Mr. Low,	Mr. Ryerss,	Mr. Crane,
Mr. Hamilton,	Mr. Jones,	Mr. P. Livingston,	Mr. Sarlls.
Mr. Roosevelt,	Mr. Lefferts,		

That the question having been then put on the said amendment as first proposed, it was carried in the affirmative.

That another of the proposed amendments was again read, in the words following, viz.

“That the Congress shall not constitute, ordain, or establish any Tribunals or Inferior Courts with any other than appellate jurisdiction, except such as may be necessary for the trial of causes of admiralty and maritime jurisdiction, and for the trial of piracies and felonies committed on the high seas; and in all other cases to which the judicial power of the United States extends, and in which the Supreme Court of the United States has not original jurisdiction, the causes shall be heard, tried and determined in some one of the State Courts, with the right of appeal to the Supreme Court of the United States, or other proper Tribunal to be established for that purpose by the Congress, with such exceptions, and under such regulations as the Congress shall make.”

That debates were had on the clause last read, and that the question having been put, whether the Committee did agree to the same, (and on motion of Mr. Lansing the yeas and nays being taken) it was carried in the affirmative, in the manner following, viz.

For the Affirmative. [37]

Mr. Hobart,	Mr. Clark,	Mr. M. Smith,	Mr. Veeder,
Mr. R. Livingston,	Mr. J. Clinton,	Mr. Swartwout,	Mr. Staring,
Mr. R. Yates,	Mr. Wynkoop,	Mr. Akins,	Mr. Parker,
Mr. Lansing,	Mr. Jones,	Mr. G. Livingston,	Mr. Williams,
Mr. I. Thompson,	Mr. Schenck,	Mr. D'Witt,	Mr. Baker,
Mr. Ten Eyck,	Mr. Lawrence,	Mr. Harper,	Mr. Hopkins,
Mr. Scudder,	Mr. Carman,	Mr. C. Yates,	Mr. Van Ness,
Mr. J. Smith,	Mr. Haring,	Mr. Frey,	Mr. Bay,
Mr. Tredwell,	Mr. Wood,	Mr. Winn,	Mr. Adgate.
Mr. Schoonmaker,			

For the Negative. [16]

Mr. Jay,	Mr. Duane,	Mr. Vandervoort,	Mr. Hatfield,
Mr. R. Morris,	Mr. Harison,	Mr. Bancker,	Mr. Van Cortlandt,
Mr. Hamilton,	Mr. Low,	Mr. Ryerss,	Mr. Crane,
Mr. Roosevelt,	Mr. Lefferts,	Mr. P. Livingston,	Mr. Sarlls.

That on the 23d day of July, in the form of the Ratification proposed, a paragraph thereof was again read, in the words following, viz.

“And with a firm reliance, and on the express condition, that the rights aforesaid will not, and shall not be lost, abridged or violated, and that the said Constitution shall in the cases above particularised, receive the constructions herein before expressed, with a solemn appeal to the Searcher of Hearts for the purity of our intentions, and in the confidence that such imperfections as may exist in the Constitution will as soon as possible be submitted to the consideration of a general Convention.”

That Mr. M. Smith then moved that the paragraph last read, should be expunged, and that the following paragraph should be substituted, viz.

“Under these impressions, and in confidence that the declaration of rights, and explanations aforesaid, are consistent with the Constitution, and therefore cannot be abridged or violated: And with the further confidence, that the amendments which shall have been proposed to the said Constitution, will receive an early and mature consideration, and that such of them as may in any degree tend to the real security and permanent advantage of the people, will be adopted.”

That the question having been put, whether the Committee did agree to the clause proposed to be substituted, (and on motion of Mr. Adgate the yeas and nays being taken) it was carried in the affirmative in the manner following, viz.

For the Affirmative. [40]

Mr. Jay,	Mr. Lansing,	Mr. Lawrence,	Mr. Sarlls,
Mr. R. Morris,	Mr. Ten Eyck,	Mr. Carman,	Mr. Haring,
Mr. Hobart,	Mr. Scudder,	Mr. Lefferts,	Mr. Woodhull,
Mr. Hamilton,	Mr. Havens,	Mr. Vandervoort,	Mr. Wisner,
Mr. R. Livingston,	Mr. J. Smith,	Mr. Bancker,	Mr. Platt,
Mr. Roosevelt,	Mr. <i>President</i> ,	Mr. Ryerss,	Mr. M. Smith,
Mr. Duane,	Mr. Cantine,	Mr. P. Livingston,	Mr. Swartwout,
Mr. Harison,	Mr. Clark,	Mr. Hatfield,	Mr. G. Livingston,
Mr. Low,	Mr. Jones,	Mr. Van Cortlandt,	Mr. D'Witt,
Mr. R. Yates,	Mr. Schenck,	Mr. Crane,	Mr. Williams.

For the Negative. [19]

Mr. I. Thompson,	Mr. Wood,	Mr. Winn,	Mr. Hopkins,
Mr. Tredwell,	Mr. Akins,	Mr. Veeder,	Mr. Van Ness,
Mr. Schoonmaker,	Mr. Harper,	Mr. Staring,	Mr. Bay,
Mr. J. Clinton,	Mr. C. Yates,	Mr. Parker,	Mr. Adgate.
Mr. Wynkoop,	Mr. Frey,	Mr. Baker,	

That another part of the proposed Ratification was again read, in the words following, viz.

“We the said Delegates, in the name and in the behalf of the People of the State of New-York, do by these presents assent to and ratify the said Constitution: UPON CONDITION NEVERTHELESS, That until a Convention shall be called and convened for proposing amendments to the said Constitution.”

That Mr. Jones then moved that the words *upon condition* should be obliterated, and the words *in full confidence* should be substituted in their stead.

That debates were had on the said motion, and that the question having been put, whether the committee did agree to the same, (and on motion of Mr. R. Yates the yeas and nays being taken) it was carried in the affirmative in the manner following, viz.

For the Affirmative. [31]

Mr. Jay,	Mr. Low,	Mr. Lefferts,	Mr. Crane,
Mr. R. Morris,	Mr. Scudder,	Mr. Vandervoort,	Mr. Sarlls,
Mr. Hobart,	Mr. Havens,	Mr. Bancker,	Mr. Platt,
Mr. Hamilton,	Mr. J. Smith,	Mr. Ryerss,	Mr. M. Smith,
Mr. R. Livingston,	Mr. Jones,	Mr. L. Morris,	Mr. G. Livingston,
Mr. Roosevelt,	Mr. Schenck,	Mr. P. Livingston,	Mr. D'Witt,
Mr. Duane,	Mr. Lawrence,	Mr. Hatfield,	Mr. Williams.
Mr. Harison,	Mr. Carman,	Mr. Van Cortlandt,	

For the Negative. [29]

Mr. R. Yates,	Mr. Clark,	Mr. Swartwout,	Mr. Staring,
Mr. Lansing,	Mr. J. Clinton,	Mr. Akins,	Mr. Parker,
Mr. I. Thom[p]son,	Mr. Wynkoop,	Mr. Harper,	Mr. Baker,
Mr. Ten Eyck,	Mr. Haring,	Mr. C. Yates,	Mr. Hopkins,
Mr. Tredwell,	Mr. Woodhull,	Mr. Frey,	Mr. Van Ness,
Mr. <i>President</i> ,	Mr. Wisner,	Mr. Winn,	Mr. Bay,
Mr. Cantine,	Mr. Wood,	Mr. Veeder,	Mr. Adgate.
Mr. Schoonmaker,			

That on the 24th day of July, another of the amendments proposed, was again read, in the words following, viz.

“In full confidence nevertheless, That until a Convention shall be called and convened, for proposing amendments to the said Constitution—the Militia of this State will not be continued in service out of this State for a longer term than six weeks, without the consent of the Legislature thereof.”

That debates were had on the said amendment: and that the question having been put, whether the Committee did agree to the same, (and on motion of Mr. Lansing the yeas and nays being taken) it was carried in the affirmative in the manner following, viz.

For the Affirmative. [32]

Mr. Jay,	Mr. Low,	Mr. Lefferts,	Mr. Platt,
Mr. R. Morris,	Mr. Lansing,	Mr. Vandervoort,	Mr. M. Smith,
Mr. Hobart,	Mr. Ten Eyck,	Mr. Bancker,	Mr. Akins,
Mr. Hamilton,	Mr. Scudder,	Mr. Ryerss,	Mr. G. Livingston,
Mr. R. Livingston,	Mr. J. Smith,	Mr. P. Livingston,	Mr. D'Witt,
Mr. Roosevelt,	Mr. Schenck,	Mr. Van Cortlandt,	Mr. Harper,
Mr. Duane,	Mr. Lawrence,	Mr. Crane,	Mr. Williams,
Mr. Harison,	Mr. Carman,	Mr. Sarlls,	Mr. Hopkins.

For the Negative. [22]

Mr. R. Yates,	Mr. Wynkoop,	Mr. C. Yates,	Mr. Parker,
Mr. I. Thompson,	Mr. Haring,	Mr. Frey,	Mr. Baker,
Mr. Tredwell,	Mr. Woodhull,	Mr. Winn,	Mr. Van Ness,
Mr. <i>President</i> ,	Mr. Wisner,	Mr. Veeder,	Mr. Bay,
Mr. Clark,	Mr. Wood,	Mr. Staring,	Mr. Adgate.
Mr. J. Clinton,	Mr. Swartwout,		

That the three next following amendments having been severally again read, and that the question having been put, whether the Committee did agree to the same, they were respectively unanimously agreed to, and are in the words following, viz.

“That the Congress will not make or alter any regulation in this State respecting the times, places and manner of holding elections for Senators or Representatives, unless the Legislature of this State shall neglect or refuse to make laws or regulations for the purpose, or from any circumstance be incapable of making the same; and that in those cases such power will only be exercised until the Legislature of this State shall make provision in the premises. That no excise will be imposed on any article of the growth, production or manufacture of the United States or any of them, within this State, ardent spirits excepted; And that Congress will not lay direct Taxes within this State, but when the monies arising from the Impost and Excise shall be insufficient for the public exigencies, nor then until Congress shall first have made a requisition upon this State to assess, levy and pay the amount of such requisition, made agreeably to the census fixed in the said Constitution, in such way and manner as the Legislature of this State shall judge best; but that in such case, if the State shall neglect or refuse to pay its proportion pursuant to such requisition, then the Congress may assess and levy this State’s proportion, together with interest at the rate of six per centum per annum, from the time at which the same was required to be paid.”

That Mr. Lansing then made a motion for an amendment, in the words following, viz.

“Reserving to this State a right to recede and withdraw itself, as one of the members of the said government at any time after the expiration of years, unless the said amendments shall before that time have been submitted to a Convention in the mode prescribed in the fifth article of the said Constitution.”

That debates were had on the amendment proposed by the said motion—and that the farther consideration thereof was postponed until the morrow.

JULY 25th.

That the question having been put on the amendment proposed by the motion of Mr. Lansing of yesterday, (and on motion of Mr. Schoonmaker the yeas and nays being taken) it passed in the negative in the manner following, viz.

For the Negative. [31]

Mr. Jay,	Mr. Low,	Mr. Vandervoort,	Mr. Sarlls,
Mr. R. Morris,	Mr. Scudder,	Mr. Bancker,	Mr. Woodhull,
Mr. Hobart,	Mr. Havens,	Mr. Ryerss,	Mr. Platt,
Mr. Hamilton,	Mr. J. Smith,	Mr. L. Morris,	Mr. M. Smith,
Mr. R. Livingston,	Mr. Jones,	Mr. P. Livingston,	Mr. Akins,
Mr. Roosevelt,	Mr. Schenck,	Mr. Hatfield,	Mr. G. Livingston,
Mr. Duane,	Mr. Lawrence,	Mr. Van Cortlandt,	Mr. Hopkins.
Mr. Harison,	Mr. Lefferts,	Mr. Crane,	

For the Affirmative. [28]

Mr. R. Yates,	Mr. Schoonmaker,	Mr. Wood,	Mr. Staring,
Mr. Lansing,	Mr. Clark,	Mr. Swartwout,	Mr. Parker,
Mr. I. Thom[p]son,	Mr. J. Clinton,	Mr. Harper,	Mr. Williams,
Mr. Ten Eyck,	Mr. Wynkoop,	Mr. C. Yates,	Mr. Baker,

Mr. Tredwell,	Mr. Carman,	Mr. Frey,	Mr. Van Ness,
Mr. <i>President</i> ,	Mr. Haring,	Mr. Winn,	Mr. Bay,
Mr. Cantine,	Mr. Wisner,	Mr. Veeder,	Mr. Adgate.

That Mr. Tredwell then made a motion that the committee would reconsider that paragraph which respected the mode of introducing the declaration of rights and explanatory amendments.

That debates arose on the said motion, and that the question having been put thereon, it was carried in the affirmative in the manner following, viz.

For the Affirmative. [37]

Mr. R. Yates,	Mr. J. Clinton,	Mr. Platt,	Mr. Veeder,
Mr. Lansing,	Mr. Wynkoop,	Mr. Swartwout,	Mr. Staring,
Mr. I. Thompson,	Mr. Schenck,	Mr. Akins,	Mr. Parker,
Mr. Scudder,	Mr. Lawrence,	Mr. G. Livingston,	Mr. Williams,
Mr. Havens,	Mr. Carman,	Mr. D'Witt,	Mr. Baker,
Mr. Tredwell,	Mr. Haring,	Mr. Harper,	Mr. Hopkins,
Mr. <i>President</i> ,	Mr. Woodhull,	Mr. C. Yates,	Mr. Van Ness,
Mr. Cantine,	Mr. Wisner,	Mr. Frey,	Mr. Bay,
Mr. Schoonmaker,	Mr. Wood,	Mr. Winn,	Mr. Adgate.
Mr. Clark,			

For the Negative. [21]

Mr. Jay,	Mr. Duane,	Mr. Vandervoort,	Mr. Hatfield,
Mr. R. Morris,	Mr. Hanison,	Mr. Bancker,	Mr. Van Cortlandt,
Mr. Hobart,	Mr. Low,	Mr. Ryerss,	Mr. Crane,
Mr. Hamilton,	Mr. Jones,	Mr. L. Morris,	Mr. Sarlls,
Mr. R. Livingston,	Mr. Lefferts,	Mr. P. Livingston,	Mr. M. Smith.
Mr. Roosevelt,			

That the paragraph in Mr. Tredwell's motion [mentioned] was accordingly reconsidered, amended and agreed to: and as amended and agreed to, is in the words following, viz.

"Under these impressions, and *declaring* that the rights aforesaid cannot be abridged or violated, and that the explanations aforesaid are consistent with the said Constitution, *and in confidence* that the amendments which shall have been proposed to the said Constitution will receive an early and mature consideration, WE *the said Delegates in the name and in the behalf of the People of the State of New-York*, DO by these presents assent to, and ratify the said Constitution."

That the draft of the Declaration of Rights, Ratification of the Constitution and Explanatory Amendments being read, as amended, are in the words following, viz.

WE the Delegates of the People of the State of New-York, duly elected and met in Convention, having maturely considered the Constitution for the United States of America, agreed to on the 17th day of September, in the year 1787, by the Convention then assembled at Philadelphia, in the Commonwealth of Pennsylvania (a copy whereof precedes these presents) and having also seriously and deliberately considered the present situation of the United States, DO DECLARE AND MAKE KNOWN,

That all power is originally vested in, and consequently derived from the people; and that government is instituted by them for their common interest, protection and security: That the enjoyment of life, liberty, and the pursuit of hap-

piness, are essential rights, which every government ought to respect and preserve.

That the powers of government may be re-assumed by the people, whensoever it shall become necessary to their happiness: That every power, jurisdiction and right, which is not by the said Constitution clearly delegated to the Congress of the United States, or the departments of the government thereof, remains to the people of the several States, or to their respective State Governments, to whom they may have granted the same: And that those clauses in the said Constitution, which declare that Congress shall not have or exercise certain powers, do not imply that Congress is entitled to any powers not given by the said Constitution; but such clauses are to be construed either as exceptions to certain specified powers, or as inserted merely for greater caution.

That the people have an equal, natural, and unalienable right freely and peaceably to exercise their religion, according to the dictates of conscience; and that no religious sect or society ought to be favoured or established by law in preference of others.

That the people have a right to keep and bear arms: That a well regulated militia, including the body of the people *capable of bearing arms*, is the proper, natural and safe defence of a free State: That the militia should not be subject to martial law, except in time of war, rebellion or insurrection.

That standing armies in time of peace are dangerous to liberty, and ought not to be kept up, except in cases of necessity; and that at all times the military should be under strict subordination to the civil power.

That in time of peace no soldier ought to be quartered in any house, without the consent of the owner, and in time of war only by the civil Magistrate, in such manner as the laws may direct.

That no person ought to be taken, imprisoned, or disseized of his freehold, or be exiled, or deprived of his privileges, franchises, life, liberty, or property, but by due process of law.

That no person ought to be put twice in jeopardy of life or limb for one and the same offence, nor unless in case of impeachment, be punished more than once for the same offence.

That every person restrained of his liberty is entitled to an enquiry into the lawfulness of such restraint, and to a removal thereof, if unlawful; and that such inquiry and removal ought not to be denied or delayed, except when on account of public danger, the Congress shall suspend the privilege of the writ of *habeas corpus*.

That excessive bail ought not to be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted.

That (except in the government of the land and naval forces, and of the militia when in actual service, and in cases of impeachment) a presentment or indictment by a Grand Jury, ought to be observed as a necessary preliminary to the trial of all crimes *cognizable by the Judiciary of the United States*; and such trial should be speedy, public, and by an impartial Jury of the county where the crime was committed; and that no person can be found guilty, without the unanimous

consent of such Jury. But in cases of crimes not committed within any county of any of the United States, and in cases of crimes committed within any county in which a general insurrection may prevail, or which may be in the possession of a foreign enemy, the enquiry and trial may be in such county as the Congress shall by law direct; which county, in the two cases last mentioned, should be as near as conveniently may be to that county in which the crime may have been committed: And that in all criminal prosecutions the accused ought to be informed of the cause and nature of his accusation, to be confronted with his accusers and the witnesses against him, to have the means of producing his witnesses, and the assistance of counsel for his defence, and should not be compelled to give evidence against himself.

That the trial by Jury, in the extent that it obtains by the common law of England, is one of the greatest securities to the rights of a free people, and ought to remain inviolate.

That every freeman has a right to be secure from all unreasonable searches and seizures of his person, his papers, or his property; and therefore that all warrants to search suspected places, or seize any freeman, his papers or property, without information upon oath, or affirmation of sufficient cause, are grievous and oppressive; and that all general warrants (or such in which the place or person suspected, are not particularly designated) are dangerous and ought not to be granted.

That the people have a right peaceably to assemble together to consult for their common good, or to instruct their representatives, and that every person has a right to petition or apply to the Legislature for redress of grievances.

That the freedom of the press ought not to be violated or restrained.

That there should be once in four years an election of the President and Vice-President, so that no officer who may be appointed by the Congress to act as President in case of the removal, death, resignation or inability of the President and Vice-President can in any case continue to act beyond the termination of the period for which the last President and Vice-President were elected.

That nothing contained in the said Constitution is to be construed to prevent the Legislature of any State from passing laws at its discretion from time to time, to divide such State into convenient districts, and to apportion its representatives to and amongst such districts.

That the prohibition contained in the said Constitution against *ex post facto* laws, extends only to laws concerning crimes.

That all appeals in causes determinable according to the course of the common law, ought to be by writ of error, and not otherwise.

That the judicial power of the United States, in cases in which a State may be a party, does not extend to criminal prosecutions, or to authorize any suit by any person against a State.

That the judicial power of the United States, as to controversies between citizens of the same State claiming lands under grants of different States, is not to be construed to extend to any other controversies between them, except those which relate to such lands, so claimed under grants of different States.

That the jurisdiction of the Supreme Court of the United States, or of any other Court to be instituted by the Congress, is not in any case to be increased, enlarged or extended by any fiction, collusion or mere suggestion:

And that no treaty is to be construed so to operate as to alter the Constitution of any State.

Under these impressions, and declaring that the rights aforesaid cannot be abridged or violated, and that the explanations aforesaid are consistent with the said Constitution; and in confidence that the amendments which shall have been proposed to the said Constitution, will receive an early and mature consideration; WE the said Delegates in the name, and in the behalf of the people of the State of New-York, DO by these presents assent to, and ratify the said Constitution. IN FULL CONFIDENCE NEVERTHELESS, that until a Convention shall be called and convened for proposing amendments to the said Constitution, the militia of this State will not be continued in service out of this State for a longer term than six weeks without the consent of the Legislature thereof. That the Congress will not make or alter any regulation in this State respecting the times, places and manner of holding elections for Senators or Representatives, unless the Legislature of this State shall neglect or refuse to make laws or regulations for the purpose, or from any circumstance be incapable of making the same; and that in those cases such power will only be exercised until the Legislature of this State shall make provision in the premises. That no excise will be imposed on any article of the growth, production or manufacture of the United States or any of them, within this State, ardent spirits excepted: And that Congress will not lay direct Taxes within this State, but when the monies arising from the Impost and Excise shall be insufficient for the public exigencies, nor then until Congress shall first have made a requisition upon this State to assess, levy and pay the amount of such requisition, made agreeably to the census fixed in the said Constitution, in such way and manner as the Legislature of this State shall judge best; but that in such case, if the State shall neglect or refuse to pay its proportion pursuant to such requisition, then the Congress may assess and levy this State's proportion, together with interest at the rate of six per centum per annum, from the time at which the same was required to be paid.

Done in Convention at Poughkeepsie, in the County of Dutchess, in the State of New-York, the twenty- day of July, in the year of our Lord, 1788.

By Order of the Convention.

That the question having been put, whether the Committee did agree to the said Declaration of Rights, form of a Ratification of the Constitution and explanatory Amendments, (and on motion of Mr. Lansing the yeas and nays being taken) it was carried in the affirmative in the manner following, viz.

For the Affirmative. [31]

Mr. Jay,	Mr. Low,	Mr. Vandervoort,	Mr. Sarlls,
Mr. R. Morris,	Mr. Scudder,	Mr. Bancker,	Mr. Woodhull,
Mr. Hobart,	Mr. Havens,	Mr. Ryerss,	Mr. Wisner,
Mr. Hamilton,	Mr. Jones,	Mr. L. Morris,	Mr. Platt,
Mr. R. Livingston,	Mr. Schenck,	Mr. P. Livingston,	Mr. M. Smith,
Mr. Roosevelt,	Mr. Lawrence,	Mr. Hatfield,	Mr. G. Livingston,
Mr. Duane,	Mr. Carman,	Mr. Van Cortlandt,	Mr. D'Witt.
Mr. Harison,	Mr. Lefferts,	Mr. Crane,	

For the Negative. [28]

Mr. R. Yates,	Mr. Schoonmaker,	Mr. Akins,	Mr. Parker,
Mr. Lansing,	Mr. Clark,	Mr. Harper,	Mr. Williams,
Mr. I. Thompson,	Mr. J. Clinton,	Mr. C. Yates,	Mr. Baker,
Mr. Ten Eyck,	Mr. Wynkoop,	Mr. Frey,	Mr. Hopkins,
Mr. Tredwell,	Mr. Haring,	Mr. Winn,	Mr. Van Ness,
Mr. <i>President</i> ,	Mr. Wood,	Mr. Veeder,	Mr. Bay,
Mr. Cantine,	Mr. Swartwout,	Mr. Staring,	Mr. Adgate.

Mr. Oothoudt farther reported, that he was directed by the said Committee to move for leave to sit again.

The said report having been heard and considered, Mr. *President* put the question, whether the Convention did agree with the Committee in the said report, (and the yeas and nays being taken) it was carried in the affirmative in the manner following, viz.

For the Affirmative. [30]

Mr. Jay,	Mr. Low,	Mr. Bancker,	Mr. Sarlls,
Mr. R. Morris,	Mr. Havens,	Mr. Ryerss,	Mr. Woodhull,
Mr. Hobart,	Mr. Jones,	Mr. L. Morris,	Mr. Wisner,
Mr. Hamilton,	Mr. Schenck,	Mr. P. Livingston,	Mr. Platt,
Mr. R. Livingston,	Mr. Lawrence,	Mr. Hatfield,	Mr. M. Smith,
Mr. Roosevelt,	Mr. Carman,	Mr. Van Cortlandt,	Mr. G. Livingston,
Mr. Duane,	Mr. Lefferts,	Mr. Crane,	Mr. D'Witt.
Mr. Harison,	Mr. Vandervoort,		

For the Negative. [25]

Mr. R. Yates,	Mr. Clark,	Mr. C. Yates,	Mr. Williams,
Mr. Lansing,	Mr. J. Clinton,	Mr. Frey,	Mr. Baker,
Mr. Oothoudt,	Mr. Wynkoop,	Mr. Winn,	Mr. Hopkins,
Mr. I. Thompson,	Mr. Wood,	Mr. Veeder,	Mr. Van Ness,
Mr. Ten Eyck,	Mr. Swartwout,	Mr. Staring,	Mr. Bay,
Mr. Tredwell,	Mr. Harper,	Mr. Parker,	Mr. Adgate.
Mr. Schoonmaker,			

Thereupon *Ordered*, That Duplicates of the said Draft of Ratification, as reported by the Committee, be engrossed.

Ordered, That the said Committee have leave to sit again.

On motion of Mr. Duane,

Resolved unanimously, That a circular Letter be prepared to be laid before the different Legislatures of the United States, pressing in the most earnest manner, the necessity of a general Convention to take into their consideration the amendments to the Constitution, proposed by the several State Conventions.

Ordered, That a Committee of three members be appointed by ballot, to prepare and report the draft of a Letter accordingly.

The ballots being taken and told, it appeared that Mr. Jay, Mr. Lansing and Mr. M. Smith, were elected.

Ordered, That those three gentlemen be a Committee for that purpose.

Then the Convention adjourned until five of the clock in the afternoon.

5 o'Clock, P. M.

The Convention met pursuant to adjournment, and resolved itself into a Committee of the whole on the report of the Convention of the States lately assem-

bled in Philadelphia, and the resolution and letter accompanying the same to Congress, and the resolution of Congress thereon; after some time spent therein, Mr. *President* reassumed the chair, and Mr. Oothoudt from the said Committee, reported, that the Committee had proceeded farther to consider the Recommendatory Amendments proposed to the said Constitution, and that in proceeding therein, Mr. Jay made a motion for an amendment in the words following, viz.

“That no person, except natural born citizens, or such as were citizens on or before the fourth day of July, one thousand seven hundred and seventy-six, or such as held commissions under the United States during the war, and have at any time since the fourth day of July, one thousand seven hundred and seventy six, become citizens of one or other of the United States, *and who shall be freeholders*, shall be eligible to the places of President, Vice-President or members of either House of the Congress of the United States.”

That Mr. Lansing then made a motion, that the words *and who shall be freeholders*, should be obliterated.

That debates arose on the said motion, and that the question having been put thereon, it passed in the negative in the manner following, viz.

For the Negative. [34]

Mr. Jay,	Mr. Schoonmaker,	Mr. Bancker,	Mr. Wisner,
Mr. R. Morris,	Mr. Clark,	Mr. Ryerss,	Mr. Wood,
Mr. Hobart,	Mr. J. Clinton,	Mr. P. Livingston,	Mr. Platt,
Mr. R. Livingston,	Mr. Wynkoop,	Mr. Hatfield,	Mr. M. Smith,
Mr. Roosevelt,	Mr. Jones,	Mr. Van Cortlandt,	Mr. Akins,
Mr. Harison,	Mr. Schenck,	Mr. Crane,	Mr. G. Livingston,
Mr. R. Yates,	Mr. Lawrence,	Mr. Sarlls,	Mr. Parker,
Mr. Havens,	Mr. Lefferts,	Mr. Woodhull,	Mr. Baker.
Mr. <i>President</i> ,	Mr. Vandervoort,		

For the Affirmative. [18]

Mr. Hamilton,	Mr. Tredwell,	Mr. Harper,	Mr. Hopkins,
Mr. Low,	Mr. Carman,	Mr. Frey,	Mr. Van Ness,
Mr. Lansing,	Mr. Haring,	Mr. Winn,	Mr. Bay,
Mr. I. Thom[p]son,	Mr. Swartwout,	Mr. Williams,	Mr. Adgate.
Mr. Scudder,	Mr. D'Witt,		

That the question having been then put, whether the Committee did agree to the amendment proposed by the motion of Mr. Jay, it was carried in the affirmative.

That the Committee had considered of, and agreed to sundry amendments to be recommended to be made to the said Constitution, and which are in the words following, viz.

And the Convention do in the name and behalf of the people of the State of New-York, enjoin it upon their representatives in the Congress, to exert all their influence and use all reasonable means to obtain a ratification of the following amendments to the said Constitution in the manner prescribed therein, and in all laws to be passed by the Congress in the mean time, to conform to the spirit of the said amendments as far as the Constitution will admit.

That there shall be one Representative for every thirty thousand inhabitants, according to the enumeration or census mentioned in the Constitution, until

the whole number of Representatives amounts to two hundred; after which that number shall be continued or increased, but not diminished, as Congress shall direct, and according to such ratio as the Congress shall fix, in conformity to the rule prescribed for the appointment of Representatives and direct taxes.

That the Congress do not impose any excise on any article (except ardent spirits) of the growth, production or manufacture of the United States, or any of them.

That Congress will not lay direct taxes but when the monies arising from the Impost and Excise shall be insufficient for the public exigencies, nor then, until Congress shall first have made a requisition upon the States to assess, levy and pay their respective proportions of such requisition, agreeably to the census fixed in the said Constitution, in such way and manner as the Legislatures of the respective States shall judge best; and in such case if any State shall neglect or refuse to pay its proportion pursuant to such requisition, then Congress may assess and levy such State's proportion, together with interest at the rate of six per centum per annum, from the time of payment prescribed in such requisition.

That the Congress shall not make or alter any regulation in any State respecting the times, places and manner of holding elections for Senators or Representatives, unless the Legislature of such State shall neglect or refuse to make laws or regulations for the purpose, or from any circumstance be incapable of making the same, and then only until the Legislature of such State shall make provision in the premises; provided, that the Congress may prescribe the time for the election of Representatives.

That no persons except natural born citizens, or such as were citizens on or before the fourth day of July, one thousand seven hundred and seventy-six, or such as held commissions under the United States during the war, and have at any time since the fourth day of July, one thousand seven hundred and seventy-six, become citizens of one or other of the United States, and who shall be freeholders, shall be eligible to the places of President, Vice-President, or members of either House of the Congress of the United States.

That the Congress do not grant monopolies, or erect any company with exclusive advantages of commerce.

That no standing army or regular troops shall be raised, or kept up in time of peace, without the consent of two-thirds of the Senators and Representatives present in each House.

That no money be borrowed on the credit of the United States, without the assent of two-thirds of the Senators and Representatives present in each House.

That the Congress shall not declare war without the concurrence of two-thirds of the Senators and Representatives present in each House.

That the privilege of the Habeas Corpus shall not by any law, be suspended for a longer term than six months, or until twenty days after the meeting of the Congress, next following the passing of the act for such suspension.

That the right of the Congress to exercise exclusive legislation over such district, not exceeding ten miles square, as may by cession of a particular State and the acceptance of Congress, become the seat of the government of the United States, shall not be so exercised as to exempt the inhabitants of such district from

paying the like taxes, imposts, duties and excises as shall be imposed on the other inhabitants of the State in which such district may be; and that no person shall be privileged within the said district from arrest, for crimes committed or debts contracted out of the said district.

That the right of exclusive legislation, with respect to such places as may be purchased for the erection of forts, magazines, arsenals, dock yards, and other needful buildings, shall not authorize the Congress to make any law to prevent the laws of the States respectively in which they may be from extending to such places in all civil and criminal matters, except as to such persons as shall be in the service of the United States, nor to them, with respect to crimes committed without such places.

That the compensation for the Senators and Representatives be ascertained by standing laws, and that no alteration of the existing rate of compensation shall operate for the benefit of the Representatives, until after a subsequent election shall have been had.

That the journals of the Congress shall be published at least once a year, with the exceptions of such parts relating to treaties or military operations as in the judgment of either House shall require secrecy; and that both Houses of Congress shall always keep their doors open during their sessions, unless the business may in their opinion require secrecy. That the yeas and nays shall be entered on the journals whenever two members in either House may require it.

That no capitation tax shall ever be laid by the Congress.

That no person be eligible as a Senator for more than six years in any term of twelve years; and that the Legislatures of the respective States may recal their Senators, or either of them, and elect others in their stead, to serve the remainder of the time for which the Senators so recalled, were appointed.

That no Senator or Representative shall during the time for which he was elected, be appointed to any office under the authority of the United States.

That the authority given to the executives of the States to fill the vacancies of Senators be abolished, and that such vacancies be filled by the respective Legislatures.

That the power of Congress to pass uniform laws concerning bankruptcy, shall only extend to merchants and other traders, and that the States respectively may pass laws for the relief of other insolvent debtors.

That no person shall be eligible to the office of President of the United States a third time.

That the Executive shall not grant pardons for treason, unless with the consent of the Congress, but may, at his discretion, grant reprieves to persons convicted of treason, until their cases can be laid before the Congress.

That the President, or person exercising his powers for the time being, shall not command an army in the field, in person, without the previous desire of the Congress.

That all *letters patent*, commissions, pardons, writs and process of the United States, shall run in the name of *the people of the United States*, and be tested in the

name of the President of the United States, or the person exercising his powers for the time being, or the first Judge of the Court out of which the same shall issue, as the case may be.

That the Congress shall not constitute, ordain, or establish any tribunals or inferior Courts with any other than appellate jurisdiction, except such as may be necessary for the trial of causes of admiralty and maritime jurisdiction, and for the trial of piracies and felonies committed on the high seas, and in all other cases to which the judicial power of the United States extends, and in which the Supreme Court of the United States has not original jurisdiction, the causes shall be heard, tried, and determined, in some one of the State Courts, with the right of appeal to the Supreme Court of the United States, or other proper Tribunal to be established for that purpose by the Congress, with such exceptions and under such regulations as the Congress shall make.

That the Court for the trial of Impeachments, shall consist of the Senate, the Judges of the Supreme Court of the United States, and the first or senior Judge for the time being, of the highest Court of the general and ordinary common law jurisdiction in each State: That the Congress shall by standing laws, designate the Courts in the respective States, answering this description, and in States having no Courts exactly answering this description, shall designate some other Court preferring such, if any there be, whose Judge or Judges may hold their places during good behaviour: Provided, that no more than one Judge, other than Judges of the Supreme Court of the United States, shall come from one State: That the Congress be authorised to pass laws for compensating the said Judges for such services, and for compelling their attendance; and that a majority, at least, of the said Judges shall be requisite to constitute the said Court: That no person impeached shall sit as a member thereof: That each member shall, previous to the entering upon any trial, take an oath or affirmation, honestly and impartially to hear and determine the cause; and that a majority of the members present shall be necessary to a conviction.

That persons aggrieved by any judgment, sentence or decree of the Supreme Court of the United States in any cause in which that Court has original jurisdiction, *with such exceptions*, and under such regulations, as the Congress shall make concerning the same, shall upon application have a commission, to be issued by the President of the United States, to such men learned in the law as he shall nominate, and by and with the advice and consent of the Senate, appoint not less than seven, authorising such Commissioners, or any seven or more of them, to correct the errors in such judgment, or to review such sentence and decree, as the case may be, and to do justice to the parties in the premises.

That no Judge of the Supreme Court of the United States shall hold any other office under the United States or any of them.

That the judicial power of the United States shall extend to no controversies respecting land, unless it relate to claims of territory or jurisdiction between States, or to claims of lands between individuals, or between States and individuals, under the grants of different States.

That the militia of any State shall not be compelled to serve without the limits of the State for a longer term than six weeks, without the consent of the Legislature thereof.

That the words *without the consent of the Congress* in the 7th clause of the 9th section of the first article of the Constitution, be expunged.

That the Senators and Representatives, and all executive and judicial officers of the United States, shall be bound by oath or affirmation, not to infringe or violate the Constitutions or Rights of the respective States.

That the Legislatures of the respective States may make provision by law, that the Electors of the Election District to be by them appointed, shall chuse a citizen of the United States, who shall have been an inhabitant of such District for the term of one year immediately preceding the time of his election for one of the Representatives of such State.

Done in Convention, at Poughkeepsie in the County of Dutchess, in the State of New-York, the _____ day of July, in the year of our Lord, one thousand seven hundred and eighty-eight.

By Order of the Convention.

Mr. Oothoudt read the report in his place, and delivered the same in at the table, where it was again read.

Mr. *President* then put the question, whether the Convention did agree with the Committee in the last report, and it was *unanimously* carried in the affirmative. Thereupon

Ordered, That Duplicates of the said report of Amendments to be recommended to be made to the said Constitution, be engrossed.

Then the Convention adjourned until nine of the clock to-morrow morning.

669–673. New York Convention
Saturday, 26 July 1788

669. Convention Journal, 26 July 1788¹

SATURDAY, 9 o'Clock, A. M.
JULY 26th, 1788.

The Convention met pursuant [to] Adjournment.

Duplicate copies of the engrossed Declaration of Rights, and form of a Ratification of the Constitution for the United States, and explanatory Amendments, and of the Amendments recommended to be made therein, were read.

Mr. *President* then put the question, whether the same shall pass, as agreed to and ratified by this Convention, and it was carried in the affirmative in the manner following, viz.

For the Affirmative. [30]

Mr. Jay,	Mr. Scudder,	Mr. Vandervoort,	Mr. Crane,
Mr. Hobart,	Mr. Havens,	Mr. Bancker,	Mr. Sarlls,
Mr. Hamilton,	Mr. J. Smith,	Mr. Ryerss,	Mr. Woodhull,
Mr. R. Livingston,	Mr. Jones,	Mr. L. Morris,	Mr. Platt,
Mr. Roosevelt,	Mr. Schenck,	Mr. P. Livingston,	Mr. M. Smith,
Mr. Duane,	Mr. Lawrence,	Mr. Hatfield,	Mr. G. Livingston,
Mr. Harison,	Mr. Carman,	Mr. Van Cortlandt,	Mr. D'Witt.
Mr. Low,	Mr. Lefferts,		

For the Negative. [27]

Mr. R. Yates,	Mr. Clark,	Mr. Akins,	Mr. Williams,
Mr. Lansing,	Mr. J. Clinton,	Mr. Harper,	Mr. Baker,
Mr. Oothoudt,	Mr. Wynkoop,	Mr. Frey,	Mr. Hopkins,
Mr. I. Thompson,	Mr. Haring,	Mr. Winn,	Mr. Van Ness,
Mr. Tredwell,	Mr. Wisner,	Mr. Veeder,	Mr. Bay,
Mr. Cantine,	Mr. Wood,	Mr. Staring,	Mr. Adgate.
Mr. Schoonmaker,	Mr. Swartwout,	Mr. Parker,	

Thereupon *Ordered*, That the said Ratification be signed by his Excellency the President, and attested by the two Secretaries, in behalf of this Convention.

Resolved, That his Excellency the President be desired to transmit to Congress the Ratification aforesaid, and that the duplicate thereof, together with the Journal of the proceedings of this Convention, be deposited by one of the Secretaries, in the office of the Secretary of this State, there to remain of record.

Mr. Jay from the Committee appointed for the purpose, reported a draft of a circular Letter, from this Convention to the Executives of the several other States, to be laid before their respective Legislatures, which was read, and being again read by paragraphs and agreed to, is in the words following, viz.

In Convention, at Poughkeepsie, State of New-York, July 26th, 1788.

(CIRCULAR.)

SIR,

WE the members of the Convention of this State, have deliberately and maturely considered the Constitution proposed for the United States.

Several articles in it appear so exceptionable to a majority of us, that nothing but the fullest confidence of obtaining a revision of them by a General Convention, and an invincible reluctance to separating from our sister States, could have prevailed upon a sufficient number to ratify it, without stipulating for previous amendments.

We all unite in opinion that such a revision will be necessary, to recommend it to the approbation and support of a numerous body of our constituents.

We observe, that amendments have been proposed, and are anxiously desired by several of the States as well as by this, and we think it of great importance, that effectual measures be immediately taken for calling a Convention, to meet at a period not far remote; for we are convinced, that the apprehensions and discontents which those articles occasion, cannot be removed or allayed, unless an act to provide for it be among the first that shall be passed by the new Congress.

As it is essential that an application for the purpose should be made to them by two-thirds of the States, we earnestly exhort and request the Legislature of your State (or Commonwealth) to take the earliest opportunity of making it. We

are persuaded, that a similar one will be made by our Legislature at their next session; and we ardently wish and desire, that the other States may concur, in adopting and promoting the measure.

It cannot be necessary to observe, that no government, however constructed, can operate well, unless it possesses the confidence and good will of the great body of the people; and as we desire nothing more than that the amendments proposed by this or other States, be submitted to the consideration and decision of a general Convention, we flatter ourselves, that motives of mutual affection and conciliation, will conspire with the obvious dictates of sound policy, to induce even such of the States, as may be content with every article in the Constitution, to gratify the reasonable desires of that numerous class of American citizens, who are anxious to obtain amendments of some of them.

Our amendments will manifest, that none of them originated in local views, as they are such as if acceded to, must equally affect every State in the Union.

Our attachment to our sister States, and the confidence we repose in them, cannot be more forcibly demonstrated, than by acceding to a government, which many of us think very imperfect, and devolving the power of determining, whether that government shall be rendered perpetual in its present form, or altered agreeable to our wishes, on a minority of the States with whom we unite.

We request the favour of your Excellency to lay this letter before the Legislature of your State (or Commonwealth) and we are persuaded, that your regard for our national harmony and good government will induce you to promote a measure, which we are unanimous in thinking, very conducive to those interesting objects.

We have the honor to be, with the highest respect,
Your Excellency's most obedient servants,
By the unanimous Order of the Convention.

Mr. *President* then put the question, whether the Convention did agree to the said letter, and it was unanimously carried in the affirmative.

Resolved, That the requisite number of copies of the said letter be prepared, and that his Excellency the President is hereby requested to subscribe and transmit the same, as by order of this Convention, to the Executives of each of the States respectively.

Resolved, That the proceedings of this Convention, be communicated to the Legislature of this State at their next session, and that they be and are hereby earnestly requested to co-operate with our sister States in measures for obtaining a general Convention to consider the amendments and alterations proposed by them and us, as proper to be made in the Constitution of the United States.

Resolved, That his Excellency the President be requested, as Governor of this State, to make the above-mentioned communication.

Resolved, That his Excellency the President be requested to take order to ascertain the incidental expences of the Convention, and to lay the account thereof before the Legislature at their next meeting.

Ordered, That each member of the Convention be furnished with a copy of the Journals, and that a copy be forwarded to each city, town, district and precinct within this State.

Resolved, That the thanks of this Convention be given to the President, and Chairman of the Committee of the whole House, for their equal and impartial conduct in their respective stations.

Resolved, That the thanks of this Convention be given to the Reverend Mr. Henry Van Dyck and to Mr. Daniel Marsh, for their punctual attendance on the Convention, and the satisfactory manner in which they performed the service requested of them.

Then the President, with the unanimous consent of the Convention, adjourned the same without day.

FINIS.

** The Declaration of Rights, Ratification of the Constitution, with the Explanatory Amendments, as agreed to by the Convention, will be found beginning with the last paragraph of page 71, and ending in the middle of page 75. And the Recommendatory Amendments beginning at the fourth paragraph of page 78, and ending with the words *by order of the Convention*, in page 82.

1. Printed: *Convention Journal*, 83–86.

670. Convention Debates, Saturday, 26 July 1788¹

The convention having met, the bill of rights, and form of the ratification of the constitution, with the amendments, were read, when the question being put, whether the same should pass, as agreed to and ratified by this convention, it was carried in the affirmative, as follows.

For the Affirmative. [30]

Mr. Jay,	Mr. J. Smith,	Mr. P. Livingston,
Mr. Hobart,	Mr. Jones,	Mr. Hatfield,
Mr. Hamilton,	Mr. Schenck,	Mr. Van Cortlandt,
Mr. R. Livingston,	Mr. Lawrence,	Mr. Crane,
Mr. Roosevelt,	Mr. Carman,	Mr. Sarlls,
Mr. Duane,	Mr. Lefferts,	Mr. Woodhull,
Mr. Harison,	Mr. Vandervoort,	Mr. Platt,
Mr. Low,	Mr. Bancker,	Mr. M. Smith,
Mr. Scudder,	Mr. Ryerss,	Mr. G. Livingston,
Mr. Havens,	Mr. L. Morris,	Mr. D'Witt.

For the Negative. [27]

Mr. R. Yates,	Mr. Wynkoop,	Mr. Veeder,
Mr. Lansing,	Mr. Haring,	Mr. Staring,
Mr. Oothoudt,	Mr. Wisner,	Mr. Parker,
Mr. I. Thompson,	Mr. Wood,	Mr. Williams,
Mr. Tredwell,	Mr. Swartwout,	Mr. Baker,
Mr. Cantine,	Mr. Akins,	Mr. Hopkins,
Mr. Schoonmaker,	Mr. Harper,	Mr. Van Ness,
Mr. Clark,	Mr. Frey,	Mr. Bay,
Mr. J. Clinton,	Mr. Winn,	Mr. Adgate.

Convention adjourned without day.

1. Printed: Childs, *Debates*, 144.

671. Gilbert Livingston: Notes of Debates, 26 July 1788¹

Convention met—

Mr Jay from the ~~informal~~ Committee to draft a Letter to the different states—
reported the same—agreed with the report—

Ordered—12. Copies of the ~~report~~ Letter be engrossed

Ordered that the engrossed ratification be read—previous to the final question—the same was read—

G L

Wisner—wishes to be indulged—yesterday voted for the constn. wished to give it one day longer—came here deter[mine]d to reject it—but we have gone from one step to another—

has viewd it—thoroughly—cannot vote for it—yet if is carried will aid it all he can—

On the final question—on the engrossed ratification it was carried in the Affirmative

for it	—30—
against it	—27—

1. MS, Livingston Papers, NN.

**672. New York Declaration of Rights, Form of Ratification, and
Recommendatory Amendments to the Constitution, 26 July 1788¹**

For the transcription of this document, see RCS: N.Y., 2326–35n.

◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

1. Engrossed MS, RG 11, Certificates of Ratification of the Constitution and the Bill of Rights . . . , 1787–92, DNA.

**673. New York Convention: Circular Letter to the Executives of the States
Poughkeepsie, 26 July 1788¹**

For the transcription of this document, see RCS: N.Y., 2335–37n.

◆ *To view this document, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

1. MS, Miscellaneous Legislative Papers, Senate Files, No. 849, Massachusetts Archives.

**674–676. New York Convention
Undated Material**

674. Melancton Smith: Notes of Debates¹

The editors could not determine for certain under which date to place these notes of debates taken by Melancton Smith; probably 15–16 July 1788.

Chancellor [Robert R. Livingston]. Revolved, a conditional mode of adoption—
 1st. What are our powers—
 we have only powers to ratify or reject—
 an amendment makes a new Constn—
 may change the power if [Provid?]—
 A bargain propd. of Land for Sale—writes a friend, to close a Bargain—shall
 he buy a half—would say to him I will not
 The People sent us to adopt or reject—
 can never extend to alter—
 if we reject or adopt, we may plead [error?]—
 2d. Consider the powers of Congress—
 1st. with respect to the present Congress, merely ministerial—
 have said, when nine States have ratified—suppose we had struck out Senate—
 cannot exceed their powers—but suppose they do—have they Interest to wish
 us in the union? no—small States and large States—
 The small States wish us out—they wish to divide us—as good politicians, they
 will wish to make Vermont—a middle & several States—
 Pennsylv. will be against us, to get Congress to Phila—
 Public bodies, wish offices for themselves and their States—To get these offices
 try to keep us out—
 2d. We must be admitted by next Congress—this will deprive us of appointing
 a presid &c—
 Govt. will derive its tone from first laws—we shall lose our share in this—
 £100,000 a Year drove out by Congress—Congress will not move, until they build
 a Town—the eastern States will be for us Jersey expects the Town—the
 Southern States will not agree, because they will want to go Southern—
 The Majority must govern—the US. form one people for national purposes—
 are one people—absurd to give Law—the amendments are to operate by
 force—suppose we had strength wd. it be right to force them to submit—
 Nobler to reject, than to force it upon the Cont[inent]—fears providence will
 take from us our
 —The Southern part of the State may support—will say you ought to have
 submitted to a majority—
 What are the amendts—
 3. propositions, Elections, Excise & Taxes, Militia—
 These not to operate, until determd. by a Conv—
 These three great powers—possible not immd.—

Congress are to suspend, the laying of taxes or—the bargain not equal—and therefore Congress will consent—
 would say it would be the Interest of New York, not to have a Convent—
 Not decent to come forward wt. such amds.—When were the eastern States less attentive to Liberty than we—
 when it is brought forward, it will be said, we mean to pursue our former policy—their pride hurt—N. York, it will be said, we mean to impose terms—
 The Interest of the smaller States, will induce them to oppose our coming in—
 We shall not probably get a Convention—because several States have adopted without amendments—
 Door open and may be shut—
 The necessary consequence all the distinctions will continue—party heats will prevail—
 We shall divide into parties—every Man will be looking for a place—The paper of the State will sink to nothing—Can be preserved only by peace among ourselves—The Southern part of the State will seperate—Many wish it—
 What will become of the North. parts of the State—We shall sink—they pay $\frac{3}{5}$ of the Taxes—We cannot reduce then—Will be assisted by neighbg States—Vermont will join them—Canada, will invade—we shall parcel out of the State, between Jersey, Connect. the British &c—
 Many on delicate ground—were sent to reject it—the ground changed—wise men consider circumstances—
 The amendments can only be obtained in the mode pointed by the Cons[titution]—
 It is now in our power, to part as friends or Enemies—
 When we go home, we shall have to call our friends, and tell them sharpen their Swords
 —Albany
 I would call upon the Members of Montgy.—would call upon the chief Magistrate—
 All human aid vain—calls upon heaven—
 From his early life, been in public view—appeals to heaven—
 Chief Justice [Richard Morris]. He arises to make an observation on the 5th. Article—a general govermt. necessary—must be by common consent—the rights of the people secure, if the people can alter—provided for here—can always make changes—shall be a great empire—the question is, whether we shall give our voice to become a member, by which we can obtain amendts. & begin a good work—
 Mr. Jay. Have not misappd.—the levying of taxes—in a diff. way—&c.—The hands of Congress tied—
 Congress will have no power to suspend any power—
 how can they lay taxes on other States and not on others—
 tie hands of Congress, when said they will not, exercise them—a rejection under another name—
 ride to N.Y or go afoot—black coat or [blouse?]—~~difference~~ admitted they have the right—but

Will the other States be content—

Legislature of the State NY. may tax sufft.—have they a right to exempt them—consistent with the contract

1. MS, Smith Papers, N.

675. John McKesson's Working Draft of the Committee of the Whole Report

This facsimile includes some of the documents that John McKesson, the Convention's secretary, used in putting together the report of the Committee of the Whole. Additional facsimiles of Inserts A, B, C, and D that formed a portion of the report are found in this Supplement as Document Numbers 646 (Insert "A"), 654 (Insert "B"), and 659 (Inserts "C" and "D"). The complete report in one piece as is found in the *Convention Journal* for 25 July 1788 is in Mfm:N.Y. 668. Some of the documents that form this working draft of the report contain dates, but often the document was written before the date on which it was introduced or changes were made to it at some unknown date. All of these manuscripts are in the McKesson Papers at the New-York Historical Society.

◆ *To view these documents, visit the University of Wisconsin Digital Collection at <https://digital.library.wisc.edu/1711.dl/Constitution>*

676. Lansingburgh Federal Herald, 4 August 1788

On 4 August the *Federal Herald* published this 31–29 roll-call vote in favor of the Constitution. The editors have not been able to locate this vote in the *Convention Journal* or any of the Convention documents produced by its secretary John McKesson.

On the question for adopting the constitution there appeared
For the AFFIRMATIVE. [31]

Mr. Jay, Mr. R. Morris, Mr. Hobart, Mr. Hamilton, Mr. R. Livingston, Mr. Roosevelt, Mr. Daune, Mr. Harrison, Mr. Low, Mr. Schudder, Mr. Havens, Mr. Jones, Mr. Schenck, Mr. Van Cortlandt, Mr. Crane, Mr. Sarls, Mr. Lefferts, Mr. Vandervoort, Mr. Bancker, Mr. Ryerss, Mr. L. Morris, Mr. P. Livingston, Mr. Hatfield, Mr. Lawrence, Mr. Carman, Mr. Woodhull, Mr. Wisner, Mr. Platt, Mr. M. Smith, Mr. G. Livingston, Mr. Dewitt.

For the NEGATIVE. [29]

Mr. R. Yates, Mr. Lansing, Mr. J. Thompson, Mr. A. Ten Eyck, Mr. President, Mr. I. Smith, Mr. Tredwell, Mr. Cantine, Mr. Shoonmaker, Mr. Clark, Mr. J. Clinton, Mr. Wynkoop, Mr. Haring, Mr. Wood, Mr. Swartwout, Mr. Akins, Mr. Harper, Mr. C. Yates, Mr. Frey, Mr. Winn, Mr. Veeder, Mr. Starring, Mr. Parker, Mr. Williams, Mr. Baker, Mr. Hopkins, Mr. Van Ness, Mr. Bay, Mr. Adgate.

The Printers are at a loss what were the majority of voices in our convention for adopting the constitution;—by letters from members of that hon. body, it appears there were a majority of *Five*, but the above statement (taken from the *Albany Journal*) leaves a majority of *Two* only:—we will at present suppose this statement to be genuine; should it prove otherwise, it shall not long pass uncorrected.

Addendum

The item printed here in the addendum was located after the New York supplement was typeset and indexed.

Marvel

New York Daily Advertiser, 7 April 1789

To the Freeholders of the Southern District.

I asserted in my last, that an unprincipled combination actually exists in this state, and I believe a bare view of the proceedings of the late session of the L—e, will sufficiently prove the assertion to be true. Some of the principal personages of this profligate party are individually those who stick at no means, however base, to put the blessings of an efficient government beyond our reach. With some of these men, enraged by defeat in the state convention, our magnanimous G—r made a bold attempt to enter into a solemn league and covenant before he set off to the Indian treaty. By this covenant, it was intended to exclude all the federalists from office, or in other words all those who either could not, or would not bow to the policy of this *omnipotent Dagon*.—This patriotic resolution was entered into with great zeal by a *chosen few*, who in order to give strength and efficacy to the resolve, courted the concurrence of Judge Yates. This was a manoeuvre of the deepest and blackest policy. They were aware that the worthy Judge was of a temper moderate and conciliatory—viewing him in this light, it was of infinite consequence to their party designs to suck him into their *all devouring vortex*. Their zeal, however in this instance happily o'erleap'd their prudence; for in their ardor to make him a proselyte to measures the most iniquitous, they totally forgot that incorruptible integrity made a striking part of his character, and incautiously entrapped themselves in the mire of dirty Machiavelian policy. The honest Judge repulsed their solicitations, and spurned their *overtures* in a manner that entitles him to our most industrious support.

It is of infinite consequence to us all, my fellow citizens, that we should examine this matter a little deeper, and try if we cannot explore the cause, which had by its latent operations nearly reduced us to the deplorable condition of Rhode Island.

An easy access to public honors and the public purse is a dangerous power to be lodged in any hands—Valor and fidelity in time of war—wisdom and virtue in times of peace are the only qualities which merit the confidence of the people, and the favors of the commonwealth—The Fountain of Honor in this state is the Council of Appointment; if *it* be corrupted how can the streams that issue from it be pure? If an ambitious and mercenary man be at the head of this dangerous engine, who lusts after undue influence, justice and honors will be set at a price, and the most odious traffic thence established. Merit in such a state of things will see no door open, but to such as pay dearly for their admission.

To illustrate this I would observe, that a certain member from the county of —, was a warm advocate for the new government and for calling a convention

to deliberate on it. This gentleman had expressed himself with so little reserve, that no doubt was entertained of his sincerity. He was at the same time a man of considerable county importance, and of a disposition which gave reason to believe would not be insulted at a *good offer*.—Before the convention should meet it was a grand object with the *chieftain*, to secure a strong antifederal host, that he might accomplish his favorite project with as strong an appearance as possible, that our state was inimical to the new government.—To secure the member in contemplation, was certainly an object of some consequence.—The question then on such an occasion, with the g—r was natural. How shall I clap my seal upon him? How WIN him to my purposes?—A method long tried and long successful, was adopted—private conferences were held—the gudgeon bit and was hook't—I leave my readers to look at the late appointments of the C. ...I, for application.—But let us turn our eyes from this pitiful instance, of the L. ...e, and there see the effects of similar management under various disguises and modifications. There indeed his political turpitude blazes with a fury not easily to be restrained.

To what cause is it to be ascribed that we have no representation in the Senate of the United States? I answer without any controversy, to the obstinacy of the g—r, at the head of his party in an ill cause.—Mark its operation.—A bill was brought in by the a—y for the appointment of congressional Senators; noses being previously counted, it was found that the measures taken during the *recess* of the l—e, had been effectual.—His mirmydons in the upper and lower houses, it was clear on a *joint ballot*, would constitute a dead majority to *legalize* the appointment of two of his creatures.—This was readily discovered by the majority of the Senate, who immediately determined to preserve an exact co-equality with the other branch of the legislature. In doing this, while they defended the *principles* of the state constitution, they exhibited a lively picture of manly firmness and real patriotism.

The Senate were indeed commendably solicitous to express the sense of their own body, and that of a very considerable part of the state, by chusing a federal Senator to Congress, but they were content that the assembly should manifest the prevalence of *their* political sentiments, by chusing the other. The *mode* of election was to the senate indifferent, so that the independence of each branch of the legislature might be preserved, and the object secured. Far different was the conduct of the a—y, they had but *one mode*—one measure—one end—and one description of people to gratify. Thus circumstanced no election could take place, but by prostrating the power of the senate, and virtually infringing the constitution of the state. It is true that towards the end of the session, when the *shoe began to pinch*, the a—y discovered a disposition to recede from their extravagant demands, but here again fresh difficulties arose among themselves. The question grew delicate and critical. Who shall be the man?—There was but *one bone*, and unfortunately there were several *hounds who desired to pick it*. The session drew towards a close, the result therefore of the *dark cabal* was, that *immediate appointment* should give way to prudent management, and his excellency wisely, and to avoid breeding contention among the *little demagogues*, has reserved the prize to another occasion.

Tho' this is a fair statement of the conduct of the G——r's party, yet some of this friends have had the impudence to say, that the failure of the bill for the appointment of Senators to Congress, was solely imputeable to the friends of the new government in the Senate. I shall leave my fellow citizens to decide on this assertion of the anti-federalists, and only request their attention to two motives, which I have good evidence actuated the G——r's conduct in question. The first, and by far the strongest was, that he might foist two antifederal Senators upon Congress, as an evidence that the sense of the state, expressed by its legislature, was hostile to the union on the principles expressed by the new constitution. The second, that two men intirely devoted to his purposes, might be returned to Congress—men who no doubt, would have been extremely ready to join any interest (if unhappily any such should arise in that honorable body) that could destroy in any measure the efficiency of the new government. Upon the whole, from a close inspection into the character and conduct of G——r C——n, I have no manner of doubt, (whatever he or his friends to secure electioneering purposes may at this time pretend) but that he bears the new government in inveterate hate. From this government it is, that the people of the southern district, I well know, look for political security and national happiness.—This is the chief ground of my objections to G——r C——n—this, my friends, is truly the point from whence we have the greatest reason to fear him.—Let us therefore, disarm him of his terrors, by disrobing him of his power.

Judge Yates is, in every possible view, the man whom we ought decidedly and openly to support.—If we succeed in electing him, (and from every quarter of the state the prospect of our doing it is more than flattering) we may soon hope to see the reputation of the state of New-York, snatched from that miserable political thraldom under which it has so long groaned.—Another paper shall furnish a few additional motives to encourage our exertions.

Appendix

Items Printed or Reprinted in New York Contained in
Commentaries on the Constitution: Public and Private, 1787–1788

New York Newspapers and Magazines, 1787–1788

Albany Gazette
Albany Journal
American Magazine, New York
Country Journal, Poughkeepsie
Daily Advertiser, New York
Hudson Weekly Gazette
Impartial Gazetteer, New York
Independent Journal, New York
Lansingburgh Federal Herald
New York Gazetteer
New York Morning Post
New York Museum
New York Packet
Northern Centinel, Lansingburgh

CC:No.	Item/New York Reprints
CC:1	Resolution of Congress, 21 February 1787 <i>New York Daily Advertiser</i> , 24 February <i>New York Gazetteer</i> , 26 February <i>New York Morning Post</i> , 26 February <i>New York Packet</i> , 27 February <i>New York Independent Journal</i> , 28 February <i>New York Journal</i> , 1 March <i>Poughkeepsie Country Journal</i> , 7 March
CC:3-A	The Idea of Separate Confederacies Boston <i>Independent Chronicle</i> , 15 February 1787 <i>New York Daily Advertiser</i> , 23 February <i>New York Independent Journal</i> , 24 February <i>New York Gazetteer</i> , 26 February
CC:3-B	Reason <i>New York Daily Advertiser</i> , 24 March 1787 <i>New York Gazetteer</i> , 29 March <i>New York Journal</i> , 5 April
CC:3-C	Lycurgus <i>New York Daily Advertiser</i> , 2 April 1787 <i>Hudson Weekly Gazette</i> , 3 May

- CC:No. Item/New York Reprints**
- CC:5-A American Fear of British Domination
 Americanus
New York Journal, 15 March 1787
 No New York reprints
- CC:5-B Extract of a letter from Halifax, via St. Johns,
 dated Feb. 3, 1787
New York Journal, 15 March 1787
New York Packet, 16 March
Poughkeepsie Country Journal, 28 March
- CC:7 Providence *United States Chronicle*, 29 March 1787
Poughkeepsie Country Journal, 2 May
Albany Gazette, 3 May
Hudson Weekly Gazette, 3 May
- CC:8 *New Hampshire Spy*, 3 April 1787
Albany Gazette, 3 May
- CC:10 George Washington's Election to the Convention
 Philadelphia *Independent Gazetteer*, 9 April 1787
New York Daily Advertiser, 13 April
New York Journal, 19 April
- CC:11 *Virginia Independent Chronicle*, 11 April 1787
New York Gazetteer, 23 April
New York Daily Advertiser, 26 April
Poughkeepsie Country Journal, 2 May
Albany Gazette, 3 May
Hudson Weekly Gazette, 3 May
New York Journal, 3 May
- CC:12 *Massachusetts Centinel*, 11 April 1787
New York Daily Advertiser, 20 April
New York Morning Post, 20 April
- CC:13 *Newport Herald*, 12 April 1787
New York Gazetteer, 26 April
New York Packet, 27 April
Poughkeepsie Country Journal, 2 May
Hudson Weekly Gazette, 3 May
- CC:14 Benjamin Franklin's Election to the Convention
Massachusetts Centinel, 14 April 1787
New York Gazetteer, 26 April
- CC:15 Thomas Jefferson: On Violence in America
New Haven Gazette, 19 April 1787 (excerpt)
New York Morning Post, 8 May
New York Daily Advertiser, 9 May
New York Journal, 10 May
Poughkeepsie Country Journal, 16 May
Hudson Weekly Gazette, 17 May

- CC:No. Item/New York Reprints**
- CC:16-A John Adams: *A Defence of the Constitutions*
 Preface, *Massachusetts Gazette*, 20 April 1787
 New York Daily Advertiser, 30 April
 New York Packet, 1 May
 New York Journal, 3 May
 Poughkeepsie Country Journal, 9 May
- CC:16-B Letter LIII
New York Daily Advertiser, 9 May 1787
 New York Gazetteer, 10 May
 New York Packet, 11 May
- CC:16-C Sidney
 Philadelphia *Independent Gazetteer*, 6 June 1787
 New York Journal, 14 June
 New York Morning Post, 16 June
- CC:17 Baltimore *Maryland Gazette*, 24 April 1787
 New York Morning Post, 21 May
 Hudson Weekly Gazette, 7 June
- CC:18-A Agrarian Unrest and the Constitution
Albany Gazette, 3 May 1787 (not extant)
 New York Morning Post, 14 May (excerpt)
 Poughkeepsie Country Journal, 16 May
 Hudson Weekly Gazette, 24 May
- CC:18-B *Massachusetts Centinel*, 16 May 1787
 New York Journal, 24 May
 Poughkeepsie Country Journal, 30 May
- CC:18-C *Massachusetts Centinel*, 19 May 1787
 New York Daily Advertiser, 26 May
 Poughkeepsie Country Journal, 6 June (paragraph 1)
 New York Journal, 7 June (paragraph 2)
- CC:18-D Litchfield, Conn., *Weekly Monitor*, 21 May 1787
 Poughkeepsie Country Journal, 30 May
 New York Daily Advertiser, 31 May
 New York Gazetteer, 31 May
 New York Journal, 31 May
 Hudson Weekly Gazette, 7 June
- CC:18-E *Worcester Magazine*, 24 May 1787
 New York Daily Advertiser, 30 May
 New York Journal, 31 May
- CC:18-F *Virginia Gazette and Weekly Advertiser*, 19 July 1787
 Poughkeepsie Country Journal, 1 August
 Lansingburgh Northern Centinel, 6 August
- CC:18-G Petersburg *Virginia Gazette*, 6 September 1787
 New York Journal, 20 September
 Poughkeepsie Country Journal, 26 September

- CC:No. Item/New York Reprints**
- CC:19 *Pennsylvania Herald*, 9 May 1787
 New York Daily Advertiser, 18 May
 New York Morning Post, 19 May
- CC:20-A Speculation about a New Constitution
 Worcester Magazine, 17 May 1787
 New York Morning Post, 21 May
 New York Daily Advertiser, 23 May
 Poughkeepsie *Country Journal*, 30 May
- CC:20-C *Pennsylvania Herald*, 25 July 1787
 New York Morning Post, 28 July
 Poughkeepsie *Country Journal*, 1 August
 Albany Gazette, 2 August
 New York Packet, 3 August
 Hudson Weekly Gazette, 9 August
- CC:21 Z
 Philadelphia *Freeman's Journal*, 16 May 1787
 New York Morning Post, 7 June
- CC:22 Richard Price: On the American Government
 Philadelphia *Independent Gazetteer*, 16 May 1787
 New York Daily Advertiser, 19 May
 New York Independent Journal, 19 May
 New York Morning Post, 19 May
 New York Gazetteer, 21 May
 New York Packet, 22 May
 Lansingburgh *Northern Centinel*, 28 May
 Poughkeepsie *Country Journal*, 30 May
 Hudson Weekly Gazette, 31 May
- CC:24 *Pennsylvania Herald*, 19 May 1787
 New York Morning Post, 25 May
 New York Independent Journal, 26 May
 New York Gazetteer, 28 May
 New York Packet, 29 May
- CC:25 *Connecticut Courant*, 21 May 1787
 New York Daily Advertiser, 1 June (brief excerpt)
- CC:26 Baltimore *Maryland Gazette*, 22 May 1787
 New York Daily Advertiser, 31 May
- CC:27 *New York Journal*, 24 May 1787
 No New York reprints
- CC:28 To the Political Freethinkers of America
 New York Daily Advertiser, 24 May 1787
 Lansingburgh *Northern Centinel*, 11 June
- CC:29 Harrington: To the Freemen of the United States
 Pennsylvania Gazette, 30 May 1787
 New York Independent Journal, 2 June

- CC:No.** **Item/New York Reprints**
- New York Packet*, 8 June
 New York Daily Advertiser, 13 June (excerpt)
 Poughkeepsie *Country Journal*, 20 June (excerpts)
 Lansingburgh *Northern Centinel*, 2 July (excerpt)
- CC:30-A Reports of Constitutional Convention Proceedings
 Pennsylvania Herald, 30 May 1787
 New York Daily Advertiser, 2 June (excerpt)
 New York Packet, 5 June
 Poughkeepsie *Country Journal*, 13 June
 Hudson Weekly Gazette, 14 June
- CC:30-B *Pennsylvania Herald*, 2 June 1787
 New York Daily Advertiser, 6 June
 New York Gazetteer, 7 June
 New York Journal, 7 June
 New York Packet, 15 June
- CC:30-C *Pennsylvania Herald*, 13 June 1787
 New York Morning Post, 15 June
 New York Packet, 15 June
 Poughkeepsie *Country Journal*, 20 June
- CC:30-D Extract of a Letter from Philadelphia, 15 June 1787
 Baltimore *Maryland Gazette*, 19 June 1787
 New York Packet, 29 June
 Poughkeepsie *Country Journal*, 4 July
 Lansingburgh *Northern Centinel*, 9 July (brief excerpt)
- CC:30-E Philadelphia *Independent Gazetteer*, 16 June 1787
 New York Journal, 21 June
 New York Morning Post, 21 June
 New York Packet, 22 June
 Poughkeepsie *Country Journal*, 27 June
 Hudson Weekly Gazette, 28 June
- CC:30-F *Pennsylvania Gazette*, 18 July 1787
 New York Morning Post, 21 July
 New York Daily Advertiser, 23 July
 New York Independent Journal, 25 July
 Albany Gazette, 2 August
- CC:30-H Philadelphia *Independent Gazetteer*, 28 July 1787
 New York Daily Advertiser, 2 August (excerpt)
 New York Journal, 2 August (excerpt)
 New York Packet, 3 August (excerpt)
 Hudson Weekly Gazette, 9 August (excerpt)
- CC:30-I *Pennsylvania Herald*, 28 July 1787
 New York Daily Advertiser, 1 August
 New York Independent Journal, 1 August
 New York Journal, 2 August
 New York Packet, 3 August
 Lansingburgh *Northern Centinel*, 6 August

- CC:No. Item/New York Reprints**
- CC:35-B Pennsylvania *Independent Gazetteer*, 22 June 1787
 New York *Daily Advertiser*, 27 June
 New York *Independent Journal*, 27 June (paragraph 1)
- CC:36 Nestor
 Massachusetts *Centinel*, 13 June 1787
 New York *Daily Advertiser*, 21 June
 New York *Journal*, 12 July
 Poughkeepsie *Country Journal*, 18 July
- CC:37 New York *Daily Advertiser*, 18 June 1787
 No New York reprints
- CC:38 Richard Price to William Bingham
 Philadelphia *Independent Gazetteer*, 20 June 1787
 New York *Daily Advertiser*, 23 June (excerpt)
 New York *Independent Journal*, 23 June
 New York *Packet*, 26 June
 Hudson *Weekly Gazette*, 28 June
 Lansingburgh *Northern Centinel*, 9 July
- CC:39 *Pennsylvania Herald*, 20 June 1787
 New York *Daily Advertiser*, 23 June
 New York *Journal*, 28 June
 Lansingburgh *Northern Centinel*, 2 July
 New York *Packet*, 10 July
- CC:40-A The Opposition to a New Constitution
 Pennsylvania *Gazette*, 20 June 1787
 New York *Journal*, 28 June
 Lansingburgh *Northern Centinel*, 2 July
- CC:40-B Alexander Hamilton Attacks Governor George Clinton
 New York *Daily Advertiser*, 21 July 1787
 Hudson *Weekly Gazette*, 2 August
 Lansingburgh *Northern Centinel*, 27 August
- CC:40-C *Pennsylvania Herald*, 1 August 1787
 New York *Daily Advertiser*, 4 August
 Lansingburgh *Northern Centinel*, 27 August
- CC:40-D *Pennsylvania Gazette*, 8 August 1787
 New York *Independent Journal*, 11 August
 New York *Packet*, 14 August
 Poughkeepsie *Country Journal*, 15 August
- CC:40-E A Republican
 New York *Journal*, 6 September 1787
 Hudson *Weekly Gazette*, 13 September
- CC:41 Albany *Gazette*, 21 June 1787 (not extant)
 New York *Daily Advertiser*, 28 June
 New York *Packet*, 29 June
 New York *Journal*, 19 July (excerpt)

- CC:No. Item/New York Reprints**
- CC:42 Civis
Pennsylvania Packet, 25 June 1787
 New York *Daily Advertiser*, 2 July
 Lansingburgh *Northern Centinel*, 16 July
 New York *Morning Post*, 20 August (excerpt)
 Albany *Gazette*, 6 September (excerpt)
- CC:43 Philadelphia *Independent Gazetteer*, 26 June 1787
 New York *Daily Advertiser*, 30 June
 New York *Independent Journal*, 30 June
 New York *Morning Post*, 30 June
 Poughkeepsie *Country Journal*, 18 July
- CC:44 Philadelphia *Independent Gazetteer*, 27 June 1787
 New York *Morning Post*, 30 June
 New York *Gazetteer*, 2 July
 New York *Daily Advertiser*, 4 July
 Hudson *Weekly Gazette*, 5 July
 New York *Gazetteer*, 5 July
 Poughkeepsie *Country Journal*, 11 July
- CC:46-A The United States, Spain, and the Navigation of the
 Mississippi River
 Maryland *Journal*, 3 July 1787
 4 December 1786 Letter
 New York *Daily Advertiser*, 9 July
 6 December 1786 Letter
 New York *Daily Advertiser*, 7 July
- CC:46-B Maryland *Journal*, 3 July 1787
 New York *Gazetteer*, 9 July
 New York *Packet*, 10 July
 Lansingburgh *Northern Centinel*, 16 July
- CC:46-C *Pennsylvania Packet*, 7 July 1787
 New York *Daily Advertiser*, 13 July
 New York *Journal*, 19 July
- CC:46-D New York *Journal*, 12 July 1787 (excerpt)
 Poughkeepsie *Country Journal*, 18 July
- CC:47-D Celebrations of the Fourth of July
 New York *Journal*, 12 July 1787
 No New York reprints
- CC:47-E *Pennsylvania Herald*, 14 July 1787
 New York *Daily Advertiser*, 18 July
 New York *Packet*, 20 July
 Poughkeepsie *Country Journal*, 25 July
- CC:47-F New York *Journal*, 19 July 1787
 No New York reprints

CC:No.	Item/New York Reprints
CC:50	Philadelphia <i>Independent Gazetteer</i> , 6 July 1787 New York <i>Daily Advertiser</i> , 11 July New York <i>Gazetteer</i> , 12 July
CC:51-B	Monarchical Tendencies in America New Haven <i>Gazette</i> , 2 August 1787 New York <i>Morning Post</i> , 16 August
CC:51-C	<i>Pennsylvania Herald</i> , 18 August 1787 New York <i>Independent Journal</i> , 22 August Lansingburgh <i>Northern Centinel</i> , 27 August
CC:53	Charleston <i>Columbian Herald</i> , 26 July 1787 New York <i>Daily Advertiser</i> , 13 August New York <i>Packet</i> , 14 August Lansingburgh <i>Northern Centinel</i> , 20 August Poughkeepsie <i>Country Journal</i> , 22 August
CC:54	Philadelphia <i>Independent Gazetteer</i> , 27 July 1787 New York <i>Packet</i> , 3 August Poughkeepsie <i>Country Journal</i> , 8 August Lansingburgh <i>Northern Centinel</i> , 13 August
CC:55	Observations on the Articles of Confederation Pamphlet, New York, 27 July 1787 (excerpt) No New York reprints
CC:56	<i>Pennsylvania Herald</i> , 28 July 1787 New York <i>Daily Advertiser</i> , 1 August New York <i>Independent Journal</i> , 1 August Poughkeepsie <i>Country Journal</i> , 29 August
CC:57	<i>Pennsylvania Gazette</i> , 1 August 1787 New York <i>Daily Advertiser</i> , 8 August (paragraphs 1–2) New York <i>Journal</i> , 9 August (paragraphs 1–2) Hudson <i>Weekly Gazette</i> , 23 August (paragraph 1)
CC:58	Americanus New York <i>Daily Advertiser</i> , 1 August 1787 Poughkeepsie <i>Country Journal</i> , 29 August
CC:59	An American Massachusetts <i>Centinel</i> , 4 August 1787 New York <i>Morning Post</i> , 20 August New York <i>Packet</i> , 21 August
CC:60	Boston <i>American Herald</i> , 6 August 1787 New York <i>Daily Advertiser</i> , 14 August New York <i>Journal</i> , 16 August (paragraph 1)
CC:61	Salem <i>Mercury</i> , 7 August 1787 New York <i>Packet</i> , 14 August Poughkeepsie <i>Country Journal</i> , 22 August

- CC:No. Item/New York Reprints**
- CC:62 *New Hampshire Spy*, 7 August 1787
 New York Daily Advertiser, 16 August
 New York Journal, 16 August
 Lansingburgh Northern Centinel, 20 August
 Albany Gazette, 6 September (paragraph 2)
- CC:63 *Pennsylvania Gazette*, 15 August 1787
 New York Independent Journal, 18 August
 New York Morning Post, 18 August
 Lansingburgh Northern Centinel, 10 September
- CC:64 *New York Journal*, 16 August 1787
 No New York reprints
- CC:65 *Pennsylvania Packet*, 20 August 1787
 New York Morning Post, 23 August
 New York Packet, 24 August
- CC:66 *Philadelphia Independent Gazetteer*, 22 August 1787
 New York Daily Advertiser, 29 August
 New York Independent Journal, 29 August
 New York Journal, 30 August
 New York Packet, 31 August
 Poughkeepsie Country Journal, 5 September
 Albany Gazette, 6 September
 Hudson Weekly Gazette, 6 September
- CC:67 *Philadelphia Independent Gazetteer*, 22 August 1787
 New York Daily Advertiser, 29 August
 New York Independent Journal, 29 August
 New York Journal, 30 August (excerpt)
 New York Packet, 31 August
 Hudson Weekly Gazette, 6 September
 Lansingburgh Northern Centinel, 10 September
- CC:68 *Pennsylvania Gazette*, 22 August 1787
 New York Independent Journal, 25 August (paragraph 2)
 New York Daily Advertiser, 27 August (paragraphs 1
 and 3)
 New York Packet, 28 August
 Lansingburgh Northern Centinel, 3 September
 Poughkeepsie Country Journal, 5 September
 Albany Gazette, 6 September (paragraphs 2–3)
- CC:69 *Philadelphia Freeman's Journal*, 29 August 1787
 New York Daily Advertiser, 6 September
- CC:71 *Pennsylvania Gazette*, 29 August 1787
 New York Daily Advertiser, 1 September
- CC:72 *Pennsylvania Gazette*, 5 September 1787
 New York Daily Advertiser, 8 September (omits last two
 sentences)

CC:No.	Item/New York Reprints
	<i>New York Packet</i> , 14 September (paragraph 1) <i>Lansingburgh Northern Centinel</i> , 17 September (paragraph 1) <i>Hudson Weekly Gazette</i> , 20 September
CC:73	<i>Pennsylvania Gazette</i> , 12 September 1787 <i>Hudson Weekly Gazette</i> , 11 October
CC:74	<i>Pennsylvania Gazette</i> , 12 September 1787 <i>New York Independent Journal</i> , 26 September (last paragraph only) <i>New York Daily Advertiser</i> , 28 September <i>Hudson Weekly Gazette</i> , 11 October
CC:77-A	Benjamin Franklin's Speech (Northern Version) <i>Boston Gazette</i> , 3 December 1787 <i>New York Journal</i> , 10 December <i>New York Morning Post</i> , 10 December <i>New York Daily Advertiser</i> , 11 December
CC:77-B	Benjamin Franklin's Final Remarks <i>Newport Herald</i> , 20 December 1787 <i>New York Daily Advertiser</i> , 4 January 1788
CC:79	<i>Pennsylvania Gazette</i> , 19 September 1787 <i>New York Independent Journal</i> , 26 September
CC:87	<i>Philadelphia Independent Gazetteer</i> , 21 September 1787 <i>Albany Gazette</i> , 11 October <i>Hudson Weekly Gazette</i> , 11 October
CC:88	<i>Pennsylvania Packet</i> , 22 September 1787 <i>New York Daily Advertiser</i> , 27 September <i>Albany Gazette</i> , 18 October
CC:91	<i>New York Daily Advertiser</i> , 24 September 1787 <i>Albany Gazette</i> , 4 October
CC:94	Daniel Shays to the Antifederal Junto in Philadelphia <i>Philadelphia Independent Gazetteer</i> , 25 September 1787 <i>Poughkeepsie Country Journal</i> , 31 October
CC:96-A	Destiny and George Washington <i>Delaware Gazette</i> , 26 September 1787 <i>New York Daily Advertiser</i> , 5 October <i>New York Packet</i> , 5 October <i>New York Independent Journal</i> , 6 October <i>Albany Gazette</i> , 11 October <i>Hudson Weekly Gazette</i> , 11 October <i>Lansingburgh Northern Centinel</i> , 15 October <i>Poughkeepsie Country Journal</i> , 17 October
CC:96-B	<i>Pennsylvania Gazette</i> , 10 October 1787 <i>New York Daily Advertiser</i> , 17 October <i>New York Packet</i> , 19 October

- CC:No.** **Item/New York Reprints**
- Hudson Weekly Gazette*, 25 October
 Lansingburgh Northern Centinel, 29 October
- CC:110-A *Massachusetts Centinel*, 29 September 1787
 Albany Gazette, 18 October
 Hudson Weekly Gazette, 18 October
- CC:111 Curtius I
 New York Daily Advertiser, 29 September 1787
 1787 Printing
 New York Morning Post, 16 October (brief excerpt)
 New York Packet, 16 October (3 paragraph excerpt)
 Albany Gazette, 1 November (brief excerpt)
 1788 Printing
 New York Packet, 13 June (3 paragraph excerpt from
 Boston Independent Chronicle, 5 June)
- CC:112 An American Citizen III: On the Federal Government
 Philadelphia Independent Gazetteer, 29 September 1787
 New York Morning Post, 8 October
 New York Packet, 16 October
 Hudson Weekly Gazette, 1 November
- CC:120 *Boston American Herald*, 1 October 1787
 Hudson Weekly Gazette, 18 October
- CC:121 Cæsar I
 New York Daily Advertiser, 1 October 1787
 Albany Gazette, 11 October
 New York Journal, 18 October (extraordinary)
- CC:123 *New Hampshire Spy*, 2 October 1787
 Albany Gazette, 18 October
 New York Packet, 19 October
 Lansingburgh Northern Centinel, 20 November
- CC:124 Foreign Spectator
 Philadelphia Independent Gazetteer, 2 October 1787
 Poughkeepsie Country Journal, 7 November
- CC:125-A The Address of the Seceding Pennsylvania Assemblymen
 Broadside, 2 October 1787
 New York Morning Post, 9 October
 New York Journal, 11 October
 New York Packet, 12 October
 Albany Gazette, 18 October
 Poughkeepsie Country Journal, 24 October
- CC:128 *Philadelphia Freeman's Journal*, 3 October 1787
 New York Morning Post, 6 October
 New York Daily Advertiser, 8 October
- CC:129 *Poughkeepsie Country Journal*, 3 October 1787
 Albany Gazette, 11 October
 New York Daily Advertiser, 22 October

- CC:No. Item/New York Reprints**
- CC:130 Social Compact
New Haven Gazette, 4 October 1787
Albany Gazette, 18 October
- CC:131-A The Press and the Constitution
New York Journal, 4 October 1787
No New York reprints
- CC:131-G Philadelphia *Freeman's Journal*, 24 October 1787
New York Morning Post, 27 October
New York Packet, 30 October
- CC:131-H Detector
New York Journal, 25 October 1787
No New York reprints
- CC:133 Centinel I
Philadelphia *Independent Gazetteer*, 5 October 1787
New York Morning Post, 17 October
New York Journal, 18 October
(Supplement Extraordinary)
Hudson Weekly Gazette, 15 November
Albany Gazette, 3 January 1788
Broadside, Thomas Greenleaf, New York,
post-1 November 1787
Antifederalist Pamphlet Anthology, probably
Thomas Greenleaf, New York, c. 6 April 1788
- CC:134 James Wilson: Speech at a Public Meeting in Philadelphia
Pennsylvania Herald, 9 October 1787
New York Daily Advertiser, 13 October
Albany Gazette, 25 October
Hudson Weekly Gazette, 25 October
- CC:135 The Grand Constitution
Massachusetts Centinel, 6 October 1787
New York Morning Post, 13 October
Albany Gazette, 1 November
Hudson Weekly Gazette, 15 November
- CC:136 Blessings of the New Government
Philadelphia *Independent Gazetteer*, 6 October 1787
New York Morning Post, 11 October
New York Packet, 12 October
- CC:148 “A”
Newburyport, Mass., *Essex Journal*, 10 October 1787
Albany Gazette, 8 November (entire),
Albany Gazette, 29 November (excerpt)
- CC:150 Foederal Constitution
Pennsylvania Gazette, 10 October 1787
New York Daily Advertiser, 25 October (excerpts)

CC:No.	Item/New York Reprints
	Poughkeepsie <i>Country Journal</i> , 31 October, 21 November (excerpts)
CC:151-B	<i>Pennsylvania Gazette</i> , 31 October 1787 <i>Albany Gazette</i> , 29 November
CC:153	Cato II <i>New York Journal</i> , 11 October 1787 <i>Albany Gazette</i> , 25 October
CC:156-A	Meeting of Philadelphia Association of Baptist Churches <i>New York Packet</i> , 12 October 1787 <i>New York Daily Advertiser</i> , 22 October <i>Albany Gazette</i> , 25 October <i>Hudson Weekly Gazette</i> , 25 October <i>Poughkeepsie Country Journal</i> , 31 October
CC:157	An Old Whig I Philadelphia <i>Independent Gazetteer</i> , 12 October 1787 <i>New York Journal</i> , 27 November
CC:158	Philadelphia <i>Independent Gazetteer</i> , 13 October 1787 <i>New York Daily Advertiser</i> , 19 October (paragraph 1) <i>Albany Gazette</i> , 1 November (paragraph 1)
CC:161	<i>Boston Gazette</i> , 15 October 1787 <i>New York Independent Journal</i> , 31 October (paragraph 2) <i>Poughkeepsie Country Journal</i> , 7, 14 November <i>Albany Gazette</i> , 8 November
CC:162	Marcus <i>New York Daily Advertiser</i> , 15 October 1787 <i>Albany Gazette</i> , 6 December
CC:166	Philadelphia <i>Freeman's Journal</i> , 17 October 1787 <i>New York Morning Post</i> , 20 October
CC:167	A Democratic Federalist <i>Pennsylvania Herald</i> , 17 October 1787 <i>New York Morning Post</i> , 22 October
CC:168	One of the People <i>Massachusetts Centinel</i> , 17 October 1787 <i>Lansingburgh Northern Centinel</i> , 29 October (brief excerpt) <i>Albany Gazette</i> , 8 November (excerpt)
CC:169	Cæsar II <i>New York Daily Advertiser</i> , 17 October 1787 <i>Albany Gazette</i> , 1 November
CC:170	An Old Whig II Philadelphia <i>Independent Gazetteer</i> , 17 October 1787 <i>New York Journal</i> , 28 November

- CC:No. Item/New York Reprints**
- CC:171-A The Attack on the Non-signers of the Constitution
Pennsylvania Journal, 17 October 1787
 New York *Daily Advertiser*, 22 October
 New York Packet, 23 October
 New York *Independent Journal*, 24 October
 Albany Gazette, 1 November
 Hudson Weekly Gazette, 1 November
- CC:171-B *Pennsylvania Gazette*, 17 October 1787
 New York *Daily Advertiser*, 20 October
- CC:177 Governor John Hancock: Speech to the Massachusetts
 General Court
 Massachusetts Gazette, 19 October 1787
 New York *Morning Post*, 1 November (entire speech)
 Lansingburgh *Northern Centinel*, 13 November
 (excerpt on Constitution only)
- CC:178 Brutus I
 New York Journal, 18 October 1787
 No New York reprints
- CC:181 An Old Whig III
 Philadelphia *Independent Gazetteer*, 20 October 1787
 New York Journal, 1 December
- CC:183-A An American Citizen IV: On the Federal Government
 Broadside, Philadelphia, 21 October 1787
 Hudson Weekly Gazette, 22, 29 November
 Massachusetts Centinel, 7 November 1787
 (paragraph 15 of broadside)
 Albany Gazette, 29 November
 Lansingburgh *Northern Centinel*, 25 December
- CC:189 A Political Dialogue
 Massachusetts Centinel, 24 October 1787
 Albany Gazette, 15 November
- CC:190 Centinel II
 Philadelphia *Freeman's Journal*, 24 October 1787
 New York *Morning Post*, 25, 27 October
 New York Journal, 1 November (extraordinary)
 Broadside, Thomas Greenleaf, New York,
 post-1 November
 Antifederalist Pamphlet Anthology, probably
 Thomas Greenleaf, New York, c. 6 April 1788
- CC:192 The Report of Connecticut's Delegates to the Constitutional
 Convention
 New Haven *Gazette*, 25 October 1787
 Albany Gazette, 15 November
 New York *Morning Post*, 22 November

- CC:No. Item/New York Reprints**
- CC:194 Ezekiel
Boston *Independent Chronicle*, 25 October 1787
Lansingburgh *Northern Centinel*, 4 December
- CC:195 Cato III
New York Journal, 25 October 1787
New York Daily Advertiser, 27 October
Albany Gazette, 8 November
- CC:196 A Republican I: To James Wilson, Esquire
New York Journal, 25 October 1787
Hudson Weekly Gazette, 8 November
- CC:197-A A Slave
New York Journal, 25 October 1787
Poughkeepsie *Country Journal*, 31 October
- CC:197-B A Son of Liberty
New York Journal, 8 November 1787
No New York reprints
- CC:201 Publius: The Federalist 1
New York Independent Journal, 27 October 1787
New York Daily Advertiser, 30 October
New York Packet, 30 October
Lansingburgh *Northern Centinel*, 13 November
Albany Gazette, 15 November
Hudson Weekly Gazette, 22 November
Book Edition, First Volume, New York, 22 March 1788
- CC:202 An Old Whig IV
Philadelphia *Independent Gazetteer*, 27 October 1787
New York Morning Post, 3 November
New York Journal, 8 December
- CC:204 Philadelphia *Independent Gazetteer*, 27 October 1787
New York Morning Post, 1 November
- CC:211 *Boston Gazette*, 29 October 1787
Albany Gazette, 29 November (excerpt)
- CC:216 Northampton, Mass., *Hampshire Gazette*, 31 October 1787
Albany Gazette, 22 November
- CC:217 Publius: The Federalist 2
New York Independent Journal, 31 October 1787
New York Daily Advertiser, 1 November
New York Packet, 2 November
Lansingburgh *Northern Centinel*, 20 November
Albany Gazette, 22 November
Hudson Weekly Gazette, 29 November
Book Edition, First Volume, New York, 22 March 1788

- CC:No. Item/New York Reprints**
- CC:218 *Pennsylvania Gazette*, 31 October 1787
 New York *Daily Advertiser*, 5 November (paragraphs 1, 3),
 6 November (paragraph 2)
 Poughkeepsie *Country Journal*, 14 November
 (paragraphs 1, 3)
 Albany Gazette, 15 November (paragraphs 1, 3)
- CC:220 *Albany Gazette*, 1 November 1787
 No New York reprints
- CC:221 Brutus II
 New York Journal, 1 November 1787
 No New York reprints
- CC:222 Cincinnatus I: To James Wilson, Esquire
 New York Journal, 1 November 1787
 No New York reprints
- CC:223 Timoleon
 New York Journal, Extraordinary, 1 November 1787
 Broadside, Thomas Greenleaf, New York,
 post-1 November
- CC:224 An Old Whig V
 Philadelphia *Independent Gazetteer*, 1 November 1787
 New York Morning Post, 10 November
 New York Journal, 11 December
- CC:225 Foreigner I
 Philadelphia *Independent Gazetteer*, 2 November 1787
 New York Morning Post, 22 December
- CC:227-A Elbridge Gerry to the Massachusetts General Court
 Massachusetts Centinel, 3 November 1787
 New York *Daily Advertiser*, 13 November
 New York Packet, 13 November
 Hudson Weekly Gazette, 15 November
 Poughkeepsie *Country Journal*, 28 November
- CC:228 Publius: The Federalist 3
 New York *Independent Journal*, 3 November 1787
 New York *Daily Advertiser*, 5 November
 New York Packet, 6 November
 Lansingburgh *Northern Centinel*, 27 November
 Albany Gazette, 6, 13 December
 Hudson Weekly Gazette, 6 December
 Book Edition, First Volume, New York, 22 March 1788
- CC:229 A Farmer, of New Jersey: Observations on Government
 (excerpt)
 Pamphlet, New York, 3 November 1787
 New York *Daily Advertiser*, 17 November

- CC:No. Item/New York Reprints**
- CC:230 A Landholder I
Connecticut Courant, 5 November 1787
Albany Gazette, 22 November
- CC:231 An Officer of the Late Continental Army
Philadelphia *Independent Gazetteer*, 6 November 1787
New York Journal, 19 November
- CC:233-A George Washington in the Constitutional Convention
New Jersey Journal, 7 November 1787
New York Packet, 20 November
Hudson Weekly Gazette, 29 November
Lansingburgh *Northern Centinel*, 4 December
Poughkeepsie *Country Journal*, 5 December
- CC:233-B Anecdote
Pennsylvania Herald, 7 November 1787
New York Daily Advertiser, 14 November
- CC:233-C *Massachusetts Gazette*, 20 November 1787
New York Daily Advertiser, 30 November
- CC:234 Publius: The Federalist 4
New York Independent Journal, 7 November 1787
New York Daily Advertiser, 8 November
New York Packet, 9 November
Albany Gazette, 29 November
Lansingburgh *Northern Centinel*, 4 December
Hudson Weekly Gazette, 13 December
Book Edition, First Volume, New York, 22 March 1788
- CC:235 Mathew Carey: The Prayer of an American Citizen
Philadelphia *American Museum*, 7 November 1787
New York Daily Advertiser, 10 November
Hudson Weekly Gazette, 14 February 1788
New York Morning Post, 20 February
- CC:Volume 1 *Pennsylvania Herald*, 22 September 1787
Appendix I *Hudson Weekly Gazette*, 4 October
- CC:Volume 1 *Pennsylvania Herald*, 25 September 1787
Appendix I *New York Daily Advertiser*, 28 September
New York Morning Post, 28 September
- CC:Volume 1 *Pennsylvania Packet*, 25 September 1787
Appendix I *New York Independent Journal*, 29 September
Hudson Weekly Gazette, 4 October
- CC:Volume 1 *New York Journal*, 27 September 1787
Appendix I *New York Morning Post*, 11 October
New York Packet, 12 October

CC:No.	Item/New York Reprints
CC:Volume 1 Appendix I	Philadelphia <i>Independent Gazetteer</i> , 6 October 1787 <i>New York Morning Post</i> , 11 October
CC:Volume 1 Appendix I	Philadelphia <i>Freeman's Journal</i> , 10 October 1787 <i>New York Morning Post</i> , 13 October New York <i>Daily Advertiser</i> , 19 October <i>Albany Gazette</i> , 1 November
CC:Volume 1 Appendix I	<i>Pennsylvania Gazette</i> , 10 October 1787 <i>Albany Gazette</i> , 18 October (paragraphs 2–4) Lansingburgh <i>Northern Centinel</i> , 22 October (paragraphs 1–3, 5)
CC:Volume 1 Appendix I	<i>Pennsylvania Gazette</i> , 17 October 1787 New York <i>Daily Advertiser</i> , 20 October <i>Albany Gazette</i> , 25 October
CC:Volume 1 Appendix I	Lansingburgh <i>Northern Centinel</i> , 29 October 1787 <i>Albany Gazette</i> , 6 December
CC:Volume 1 Appendix I	<i>New York Journal</i> , 1 November 1787 <i>New York Packet</i> , 2 November Poughkeepsie <i>Country Journal</i> , 7 November <i>Hudson Weekly Gazette</i> , 8 November
CC:Volume 1 Appendix I	Philadelphia <i>Independent Gazetteer</i> , 1 November 1787 New York <i>Daily Advertiser</i> , 8 November <i>Albany Gazette</i> , 15 November
CC:Volume 1 Appendix I	<i>Pennsylvania Herald</i> , 3 November 1787 <i>New York Journal</i> , 8 November <i>New York Packet</i> , 9 November <i>New York Journal</i> , 10 November
CC:Volume 1 Appendix I	<i>Pennsylvania Packet</i> , 3 November 1787 <i>New York Packet</i> , 13 November Poughkeepsie <i>Country Journal</i> , 21 November
CC:Volume 1 Appendix I	<i>Massachusetts Centinel</i> , 7 November 1787 New York <i>Daily Advertiser</i> , 16 November <i>New York Packet</i> , 16 November Poughkeepsie <i>Country Journal</i> , 21 November Lansingburgh <i>Northern Centinel</i> , 27 November
CC:Volume 1 Appendix I	<i>Pennsylvania Gazette</i> , 7 November 1787 <i>New York Packet</i> , 13 November <i>Albany Gazette</i> , 15 November New York <i>Daily Advertiser</i> , 16 November <i>Hudson Weekly Gazette</i> , 22 November
CC:238	<i>Albany Gazette</i> , 8 November 1787 Poughkeepsie <i>Country Journal</i> , 14 November <i>New York Packet</i> , 16 November

- CC:No. Item/New York Reprints**
- CC:239 Brutus, Junior
New York Journal, 8 November 1787
No New York reprints
- CC:240 Cato IV
New York Journal, 8 November 1787
New York Daily Advertiser, 9 November
Albany Gazette, Supplement, 17 November
- CC:241 Cincinnatus II: To James Wilson, Esquire
New York Journal, 8 November 1787
No New York reprints
- CC:242 Federal Farmer: Letters to the Republican
Pamphlet, Probably New York, 8 November 1787
Two other editions of the pamphlet were published, also
probably in New York City
- CC:243 Centinel III
Philadelphia *Independent Gazetteer*, 8 November 1787
New York Journal, 20 November
Antifederalist Pamphlet Anthology, probably
Thomas Greenleaf, New York, c. 6 April 1788
- CC:244 A Citizen of Philadelphia:
The Weaknesses of Brutus Exposed
Pamphlet, Philadelphia, 8 November 1787
New York Daily Advertiser, 20, 23, 26 November, and
1 December (first twenty of the pamphlet's
twenty-three pages)
- CC:251 *Massachusetts Centinel*, 10 November 1787
New York Packet, 20 November
Albany Gazette, 29 November
Lansingburgh *Northern Centinel*, 4 December
(paragraph 1 only)
Albany Gazette, 13 December (paragraph 1 second time)
- CC:252 Publius: The Federalist 5
New York Independent Journal, 10 November 1787
New York Daily Advertiser, 12 November
New York Packet, 13 November
Lansingburgh *Northern Centinel*, 11 December
Albany Gazette, 13 December
Hudson Weekly Gazette, 13 December
Book Edition, First Volume, New York, 22 March 1788
- CC:254 A Landowner II
Connecticut Courant, 12 November 1787
Albany Journal, 2 February 1788 (excerpt)

- CC:No. Item/New York Reprints**
- CC:274 Publius: The Federalist 8
New York Packet, 20 November 1787
New York Daily Advertiser, 21 November
New York Independent Journal, 21 November
Hudson Weekly Gazette, 27 December
Lansingburgh Northern Centinel, 1 January 1788
Albany Gazette, 3 January
 Book Edition, First Volume, New York, 22 March
- CC:276-A George Mason: Objections to the Constitution
Massachusetts Centinel, 21 November 1787
New York Daily Advertiser, 30 November
New York Packet, 30 November
- CC:276-B George Mason: Objections to the Constitution
Alexandria Virginia Journal, 22 November 1787
Albany Gazette, 13 December
- CC:277 Publius: The Federalist 9
New York Independent Journal, 21 November 1787
New York Daily Advertiser, 21 November
New York Packet, 23 November
Hudson Weekly Gazette, 3 January 1788
Lansingburgh Northern Centinel, 8 January
Albany Gazette, 10 January
 Book Edition, First Volume, New York, 22 March
- CC:278 Philadelphia *Freeman's Journal*, 21 November 1787
New York Packet, 27 November
Poughkeepsie Country Journal, 12 December
- CC:279-A *Pennsylvania Gazette*, 21 November 1787
New York Daily Advertiser, 24 November
- CC:280 *Pennsylvania Gazette*, 21 November 1787
New York Daily Advertiser, 24 November
- CC:283-A The Circulation of Antifederalist Material in Connecticut
New Haven Gazette, 22 November 1787
New York Morning Post, 1 December
New York Daily Advertiser, 5 December
Albany Gazette, 6 December
- CC:283-B *New York Daily Advertiser*, 4 December 1787
Lansingburgh Northern Centinel, 18 December
Albany Gazette, 20 December
- CC:283-C *New Haven Gazette*, 13 December 1787
New York Daily Advertiser, 19 December
Poughkeepsie Country Journal, 26 December
Lansingburgh Northern Centinel, 1 January 1788
New York Journal, 7 January

- CC:No. Item/New York Reprints**
- CC:284 A Countryman II
New Haven Gazette, 22 November 1787
New York Journal, 3 December
- CC:285 Publius: The Federalist 10
New York Daily Advertiser, 22 November 1787
New York Packet, 23 November
New York Independent Journal, 24 November
Hudson Weekly Gazette, 10 January 1788
Lansingburgh Northern Centinel, 15 January
Albany Gazette, 17 January
Book Edition, First Volume, New York, 22 March
- CC:286 Cato V
New York Journal, 22 November 1787
New York Daily Advertiser, 24, 26 November
Albany Gazette, 6 December
- CC:287 Cincinnatus IV: To James Wilson, Esquire
New York Journal, 22 November 1787
No New York reprints
- CC:289 James Wilson: Speech of 24 November 1787 in the
Pennsylvania Convention
Pamphlet Version, Philadelphia, 24 November 1787
New York Daily Advertiser, 3 December
Summary, *Pennsylvania Packet*, 27 November 1787
Albany Gazette, 6 December
Summary, *Pennsylvania Herald*, 28 November 1787
New York Independent Journal, 1 December
New York Journal, 1 December
Hudson Weekly Gazette, 20 December
- CC:290-A John Jay and the Constitution
Philadelphia *Independent Gazetteer*, 24 November 1787
New York Daily Advertiser, 29 November
New York Journal, 30 November
- CC:290-B John Jay to John Vaughan, 1 December 1787
Philadelphia *Independent Gazetteer*, 7 December
New York Daily Advertiser, 13 December
New York Morning Post, 13 December
New York Journal, 14 December
New York Packet, 14 December
New York Independent Journal, 15 December
Albany Gazette, 20 December
Poughkeepsie *Country Journal*, 26 December
- CC:291 Publius: The Federalist 11
New York Independent Journal, 24 November 1787
New York Daily Advertiser, 27 November
New York Packet, 27 November

- CC:No.** **Item/New York Reprints**
- New York *Daily Advertiser*, 4, 5 December
 Poughkeepsie *Country Journal*, 16 January 1788
 (supplement)
 Book Edition, First Volume, New York, 22 March
- CC:317 Publius: The Federalist 16
 New York Packet, 4 December 1787
 New York *Independent Journal*, 5 December
 New York *Daily Advertiser*, 6 December
 Poughkeepsie *Country Journal*, 16 January 1788
 (supplement)
 Book Edition, First Volume, New York, 22 March
- CC:318 Centinel V
 Philadelphia *Independent Gazetteer*, 4 December 1787
 New York Journal, 10 December
 Antifederalist Pamphlet Anthology, probably
 Thomas Greenleaf, New York, c. 6 April 1788
- CC:321 Publius: The Federalist 17
 New York *Independent Journal*, 5 December 1787
 New York *Daily Advertiser*, 7 December
 New York Packet, 7 December
 Poughkeepsie *Country Journal*, 22 January 1788
 (supplement)
 Albany Gazette, 13 March
 Book Edition, First Volume, New York, 22 March
- CC:322 A Countryman IV
 New Haven Gazette, 6 December 1787
 New York Journal, 17 December
- CC:323 "Z"
 Boston *Independent Chronicle*, 6 December 1787
 New York Morning Post, 14 December
 New York Journal, 17 December
- CC:324 Cincinnatus VI: To James Wilson, Esquire
 New York Journal, 6 December 1787
 No New York reprints
- CC:325 Richard Henry Lee to Governor Edmund Randolph
 Petersburg *Virginia Gazette*, 6 December 1787
 New York Journal, 22 December
 Albany Gazette, 10 January 1788
- CC:329 *Massachusetts Gazette*, 7 December 1787
 New York Journal, 17 December
 Lansingburgh *Northern Centinel*, 8 January 1788
- CC:330 Publius: The Federalist 18
 New York Packet, 7 December 1787
 New York *Daily Advertiser*, 7, 8 December

- CC:No.** **Item/New York Reprints**
- New York *Independent Journal*, 8 December
 Poughkeepsie *Country Journal*, 22 January 1788
 (supplement)
 Book Edition, First Volume, New York, 22 March
- CC:333 Publius: The Federalist 19
 New York *Independent Journal*, 8 December 1787
 New York *Daily Advertiser*, 10 December
 New York *Packet*, 11 December
 Poughkeepsie *Country Journal*, 29 January 1788
 (supplement)
 Book Edition, First Volume, New York, 22 March
- CC:335 A Landholder VI
 Connecticut *Courant*, 10 December 1787
 New York *Daily Advertiser*, 18 December
 Albany *Gazette*, 3 January 1788
 Hudson *Weekly Gazette*, 3 January
 New York *Morning Post*, 3 January
- CC:339-A President John Sullivan on the Constitution
 New Hampshire *Spy*, 11 December 1787
 Salem *Mercury*, 18 December, Version
 New York *Packet*, 28 December
 New York *Daily Advertiser*, 29 December
 Hudson *Weekly Gazette*, 3 January 1788
 Lansingburgh *Northern Centinel*, 8 January
 Poughkeepsie *Country Journal*, 9 January
 Albany *Gazette*, 10 January
- CC:339-B John Sullivan: Speech to the New Hampshire General Court
 New Hampshire *Mercury*, 30 January 1788
 Massachusetts *Centinel*, 6 February, excerpts
 Albany *Journal*, 18 February
 Hudson *Weekly Gazette*, 21 February
- CC:340 Publius: The Federalist 20
 New York *Packet*, 11 December 1787
 New York *Independent Journal*, 12 December
 New York *Daily Advertiser*, 12, 13 December
 Poughkeepsie *Country Journal*, 29 January, 5 February
 1788 (supplements)
 Book Edition, First Volume, New York, 22 March
- CC:341 Publius: The Federalist 21
 New York *Independent Journal*, 12 December 1787
 New York *Daily Advertiser*, 14 December
 New York *Packet*, 14 December
 Poughkeepsie *Country Journal*, 5 February 1788
 (supplement)
 Book Edition, First Volume, New York, 22 March

- CC:No. Item/New York Reprints**
- CC:343 Brutus V
New York Journal, 13 December 1787
No New York reprints
- CC:344 Cato VI
New York Journal, 13 December 1787
New York Daily Advertiser, 15 December
- CC:345 Alfred
Philadelphia Independent Gazetteer, 13 December 1787
New York Morning Post, 21 December
New York Journal, 25 December
- CC:347 Publius: The Federalist 22
New York Packet, 14 December 1787
New York Independent Journal, 15 December
New York Daily Advertiser, 17, 18 December
Book Edition, First Volume, New York, 22 March 1788
- CC:Volume 2 Portland, Maine, *Cumberland Gazette*, 9 November 1787
Appendix I *New York Morning Post*, 1 December
- CC:Volume 2 *New York Journal*, 15 November 1787
Appendix I Poughkeepsie *Country Journal*, 21 November
Albany Gazette, 22 November
Hudson Weekly Gazette, 22 November
- CC:Volume 2 *Newport Herald*, 15 November 1787
Appendix I *New York Daily Advertiser*, 30 November
Poughkeepsie Country Journal, 5 December
- CC:Volume 2 Benjamin Franklin Signing the Constitution
Appendix I *Massachusetts Gazette*, 20 November 1787
New York Daily Advertiser, 30 November
- CC:Volume 2 Benjamin Franklin Signing the Constitution
Appendix I *Massachusetts Centinel*, 21 November 1787
New York Daily Advertiser, 30 November
Albany Gazette, 6 December
- CC:Volume 2 Lansingburgh *Northern Centinel*, 20 November 1787
Appendix I *New York Morning Post*, 1 December
- CC:Volume 2 *Pennsylvania Gazette*, 21 November 1787
Appendix I *New York Daily Advertiser*, 24 November
(paragraphs 1–3)
New York Independent Journal, 24 November
(paragraphs 1–2)
New York Journal, 24 November (paragraph 2)
New York Packet, 27 November (paragraph 2)
Poughkeepsie Country Journal, 28 November
(paragraphs 1–2)
Albany Gazette, 29 November (paragraphs 1–3)

- CC:No.** **Item/New York Reprints**
- Hudson Weekly Gazette*, 29 November (paragraph 2)
 Lansingburgh Northern Centinel, 4 December
 (paragraph 2)
- CC:Volume 2 *Pennsylvania Herald*, 21 November 1787
Appendix I *New York Independent Journal*, 24 November
 (paragraphs 1–2)
 New York Journal, 24 November (paragraphs 1–2)
 Albany Gazette, 29 November (paragraphs 1–2)
- CC:Volume 2 Charleston, S.C., *Columbian Herald*, 3 December 1787
Appendix I *New York Packet*, 1 January 1788
 New York Independent Journal, 2 January
 Lansingburgh Northern Centinel, 15 January
- CC:Volume 2 *Connecticut Courant*, 10 December 1787
Appendix I *New York Packet*, 18 December (paragraph 2)
 Albany Gazette, 20 December (paragraph 2)
 Poughkeepsie Country Journal, 2 January 1788
 (paragraph 2)
- CC:Volume 2 Philadelphia *Independent Gazetteer*, 14 December 1787
Appendix I *New York Morning Post*, 21 December
 Poughkeepsie Country Journal, 26 December
- CC:352 Publius: The Federalist 23
 New York Packet, 18 December 1787
 New York Journal, 18 December
 New York Daily Advertiser, 19 December
 New York Independent Journal, 19 December
 Book Edition, First Volume, New York, 22 March
- CC:353 The Dissent of the Minority of the Pennsylvania Convention
 Pennsylvania Packet, 18 December 1787
 New York Morning Post, 24, 25, 26, 27, 28 December
 New York Daily Advertiser, 25, 26, 27 December
 New York Journal, 27, 29, 31 December
 Broadside, Ashbel Stoddard, Hudson,
 by early February 1788
 Antifederalist Pamphlet Anthology, probably
 Thomas Greenleaf, New York, c. 6 April
- CC:354 Anti-Cincinnatus
 Northampton, Mass., *Hampshire Gazette*, 19 December 1787
 New York Journal, 29 December
- CC:355 Publius: The Federalist 24
 New York Independent Journal, 19 December 1787
 New York Daily Advertiser, 19 December
 New York Journal, 19 December
 New York Packet, 21 December
 Book Edition, First Volume, New York, 22 March 1788

- CC:No. Item/New York Reprints**
- CC:357 Benjamin Rush's Speech of 12 December 1787 in the
 Pennsylvania Convention
 Pennsylvania Herald, 15 December 1787
 (Dallas' Newspaper version)
 New York Daily Advertiser, 22 December
 New York Journal, 22, 24 December
 Pennsylvania Gazette, 19 December 1787
 (Lloyd's Newspaper version)
 New York Daily Advertiser, 28 December
 New York Morning Post, 31 December
 Albany Gazette, 7 February 1788
- CC:361 A Countryman V
 New Haven Gazette, 20 December 1787
 New York Morning Post, 9 January 1788
- CC:362 *New York Journal*, 20 December 1787
 Poughkeepsie Country Journal, 2 January 1788
- CC:364 Publius: The Federalist 25
 New York Packet, 21 December 1787
 New York Daily Advertiser, 21 December
 New York Journal, 21 December
 New York Independent Journal, 22 December
 Book Edition, First Volume, New York, 22 March 1788
- CC:365 *Pennsylvania Mercury*, 21 December 1787
 New York Morning Post, 28 December
 New York Packet, 28 December
 Albany Gazette, 3 January 1788
 Hudson Weekly Gazette, 3 January
- CC:366 Publius: The Federalist 26
 New York Independent Journal, 22 December 1787
 New York Daily Advertiser, 24 December
 New York Journal, 25 December
 New York Packet, 25 December
 Book Edition, First Volume, New York, 22 March 1788
- CC:369 Poplicola
 Boston Gazette, 24 December 1787
 New York Journal, 30 January 1788
- CC:371 A Landholder VIII
 Connecticut Courant, 24 December 1787
 New York Daily Advertiser, 1 January 1788
- CC:372 New England
 Connecticut Courant, 24 December 1787
 New York Daily Advertiser, 4 January 1788

- CC:No. Item/New York Reprints**
- CC:377 One of the People: Antifederal Arguments
Maryland Journal, 25 December 1787
New York Independent Journal, 5 January 1788
- CC:378 Publius: The Federalist 27
New York Packet, 25 December 1787
New York Journal, 25 December
New York Daily Advertiser, 26 December
New York Independent Journal, 26 December
Book Edition, First Volume, New York, 22 March
- CC:379 Centinel VI
Pennsylvania Packet, 25 December 1787
Philadelphia Independent Gazetteer, 26 December version
New York Morning Post, 1 January 1788
New York Journal, 4 January
Antifederalist Pamphlet Anthology, probably
Thomas Greenleaf, New York, c. 6 April
- CC:381 Publius: The Federalist 28
New York Independent Journal, 26 December 1787
New York Daily Advertiser, 28 December
New York Packet, 28 December
New York Journal, 2 January 1788
Book Edition, First Volume, New York, 22 March
- CC:382 Philadelphiensis VI
Philadelphia Freeman's Journal, 26 December 1787
New York Journal, 1 January 1788
New York Morning Post, 7 January
- CC:383 *Pennsylvania Herald*, 26 December 1787
New York Morning Post, 31 December
- CC:384 Brutus VI
New York Journal, 27 December 1787
No New York reprints
- CC:385 Edmund Randolph's 10 October 1787 Letter
Pamphlet, Richmond, c. 27 December 1787
New York Daily Advertiser, 8 January 1788
New York Journal, 9, 11 January
Albany Gazette, 17 January
Hudson Weekly Gazette, 24, 31 January
Poughkeepsie Country Journal, 29 January, 5, 19 February
Antifederalist Pamphlet Anthology, probably
Thomas Greenleaf, New York, c. 6 April
- CC:386-A George Washington on the Constitution
Maryland Journal, 1 January 1788
New York Independent Journal, 16 January

- CC:No. Item/New York Reprints**
- CC:395 The New Roof
Pennsylvania Packet, 29 December 1787
New York Daily Advertiser, 9 January 1788
Lansingburgh Federal Herald, 28 April
- CC:399 America
New York Daily Advertiser, 31 December 1787
 No New York reprints
- CC:401 Luther Martin: Genuine Information II
Baltimore Maryland Gazette, 1 January 1788
New York Journal, 18 January
- CC:402 *New Hampshire Spy*, 1 January 1788
New York Packet, 29 April
- CC:403 Publius: The Federalist 31
New York Packet, 1 January 1788
New York Daily Advertiser, 2 January
New York Independent Journal, 2 January
New York Journal, 5 January
 Book Edition, First Volume, New York, 22 March
- CC:405 Publius: The Federalist 32–33
New York Independent Journal, 2 January 1788
New York Daily Advertiser, 3 January
New York Packet, 4 January 1788
New York Journal, 8 January
 Book Edition, First Volume, New York, 22 March
- CC:406 Advertisement for the Pamphlet Edition of The Federalist
New York Independent Journal, 2 January 1788
New York Independent Journal, 5, 9, 16, 19, 23 January
New York Packet, 8, 11, 15, 18, 22, 25, 29 January,
 1, 5, 8 February
 Without the First Four Paragraphs
New York Daily Advertiser, 3 January
Poughkeepsie Country Journal, 19 February
- CC:407 An Old Man
Carlisle Gazette, 2 January 1788
New York Daily Advertiser, 12 January
New York Independent Journal, 12 January
New York Journal, 15 January
Albany Journal, 4 February
- CC: 408 An Address to the Minority of the Pennsylvania Convention
Carlisle Gazette, 2 January 1788
New York Journal, 15 January
- CC:409 Philadelphia *Freeman's Journal*, 2 January 1788
New York Daily Advertiser, 4 January
New York Morning Post, 4 January

- CC:No. Item/New York Reprints**
- CC:420 James Wadsworth and Oliver Ellsworth:
 Speeches in the Connecticut Convention, 7 January 1788
 Connecticut Courant, 14 January
 New York Journal, 22, 23 January
- CC:425 Luther Martin: Genuine Information IV
 Baltimore *Maryland Gazette*, 8 January 1788
 New York Journal, 20, 22, 25 February
- CC:426 Publius: The Federalist 36
 New York Packet, 8 January 1788
 New York Independent Journal, 9 January
 New York Daily Advertiser, 10 January
 New York Journal, 11, 12 January
 Book Edition, First Volume, New York, 22 March
- CC:427 Centinel IX
 Philadelphia *Independent Gazetteer*, 8 January 1788
 New York Journal, 14 January
 Antifederalist Pamphlet Anthology, probably
 Thomas Greenleaf, New York, c. 6 April
- CC:428 Samuel Huntington, Oliver Wolcott, Sr., and Richard Law:
 Speeches in the Connecticut Convention, 9 January 1788
 Connecticut Courant, 14 January
 New York Journal, 23 January
- CC:429 Publius: The Federalist 29
 New York Independent Journal, 9 January 1788
 New York Daily Advertiser, 10 January
 New York Packet, 11 January
 New York Journal, 12 January
 Book Edition, First Volume, New York, 22 March
- CC:430 Tamony
 Virginia Independent Chronicle, 9 January 1788
 New York Journal, 8 February
- CC:436 Helvidius Priscus II
 Boston *Independent Chronicle*, 10 January 1788
 New York Morning Post, 18 January
 New York Journal, 21 January
- CC:437 Brutus VIII
 New York Journal, 10 January 1788
 No New York reprints
- CC:439 Governor George Clinton: Speech to the New York
 Legislature, 11 January 1788
 New York Daily Advertiser, 14 January, version
 New York Morning Post, 15 January

- CC:No.** **Item/New York Reprints**
- New York Journal*, 30 January
 Book Edition, Second Volume, New York, 28 May
- CC:453 Centinel XI
 Philadelphia *Independent Gazetteer*, 16 January 1788
 New York Journal, 21 January
- CC:454 Philanthropos
 Pennsylvania Gazette, 16 January 1788
 New York Morning Post, 21 January
 New York Daily Advertiser, 23 January
- CC:455 Brutus IX
 New York Journal, 17 January 1788
 No New York reprints
- CC:457 Curtiopolis
 New York Daily Advertiser, 18 January 1788
 No New York reprints
- CC:458 Publius: The Federalist 40
 New York Packet, 18 January 1788
 New York Daily Advertiser, 19 January
 New York Independent Journal, 19 January
 Book Edition, Second Volume, New York, 28 May
- CC:459 Luther Martin: Genuine Information VII
 Baltimore *Maryland Gazette*, 18 January 1788
 New York Journal, 27 February
- CC:460 Luther Martin to the Printer
 Maryland Journal, 18 January 1788
 New York Journal, 6 February
 New York Morning Post, 11 February
- CC:463 Publius: The Federalist 41
 New York Independent Journal, 19 January 1788
 New York Packet, 22 January
 New York Daily Advertiser, 22, 23 January
 Book Edition, Second Volume, New York, 28 May
- CC:466 Publius: The Federalist 42
 New York Packet, 22 January 1788
 New York Independent Journal, 23 January
 New York Daily Advertiser, 24 January
 Book Edition, Second Volume, New York, 28 May
- CC:467 Luther Martin: Genuine Information VIII
 Baltimore *Maryland Gazette*, 22 January 1788
 New York Journal, 7, 12, 14 March
- CC:469 Publius: The Federalist 43
 New York Independent Journal, 23 January 1788
 New York Daily Advertiser, 25 January

- CC:No.** **Item/New York Reprints**
- New York Packet*, 25 January
 Book Edition, Second Volume, New York, 28 May
- CC:470 Centinel XII
 Philadelphia *Independent Gazetteer*, 23 January 1788
 New York Journal, 11 February
- CC:471 A Copy of a Letter from Centinel
 Pennsylvania Gazette, 23 January 1788
 New York Daily Advertiser, 31 January
 Poughkeepsie Country Journal, 19 February
- CC:472 A Freeman I
 Pennsylvania Gazette, 23 January 1788
 New York Morning Post, 1 February
- CC:473 Philadelphiensis VIII
 Philadelphia *Freeman's Journal*, 23 January 1788
 New York Morning Post, 31 January
 New York Journal, 1 February
- CC:474 Brutus X
 New York Journal, 24 January 1788
 No New York reprints
- CC:476 Publius: The Federalist 44
 New York Packet, 25 January 1788
 New York Independent Journal, 26 January
 New York Daily Advertiser, 29 January
 Book Edition, Second Volume, New York, 28 May
- CC:478 Publius: The Federalist 45
 New York Independent Journal, 26 January 1788
 New York Packet, 29 January
 New York Daily Advertiser, 30 January
 Book Edition, Second Volume, New York, 28 May
- CC:481 *State Gazette of South Carolina*, 28 January 1788
 New York Journal, 14 February
- CC:483 Publius: The Federalist 46
 New York Packet, 29 January 1788
 New York Independent Journal, 30 January
 New York Daily Advertiser, 31 January
 Book Edition, Second Volume, New York, 28 May
- CC:484 Luther Martin: Genuine Information IX
 Baltimore *Maryland Gazette*, 29 January 1788
 New York Journal, 14, 15, 17 March
- CC:486 Publius: The Federalist 47
 New York Independent Journal, 30 January 1788
 New York Packet, 1 February
 New York Daily Advertiser, 1, 2 February
 Book Edition, Second Volume, New York, 28 May

CC:No.	Item/New York Reprints
CC:487	Centinel XIII Philadelphia <i>Independent Gazetteer</i> , 30 January 1788 <i>New York Journal</i> , 12 February
CC:489	Brutus XI <i>New York Journal</i> , 31 January 1788 No New York reprints
CC:Volume 3 Appendix I	<i>Pennsylvania Gazette</i> , 19 December 1787 <i>New York Daily Advertiser</i> , 24 December <i>New York Morning Post</i> , 24 December <i>Poughkeepsie Country Journal</i> , 2 January 1788
CC:Volume 3 Appendix I	<i>Pennsylvania Packet</i> , 19 December 1787 <i>New York Journal</i> , 28 December <i>Albany Gazette</i> , 3 January 1788 <i>New York Daily Advertiser</i> , 19 January
CC:Volume 3 Appendix I	Franklin and Washington <i>Pennsylvania Herald</i> , 19 December 1787 <i>New York Morning Post</i> , 25 December <i>New York Journal</i> , 27 December <i>Albany Gazette</i> , 10 January 1788 <i>Pennsylvania Herald</i> , 22 December 1787 <i>New York Independent Journal</i> , 29 December <i>Albany Gazette</i> , 10 January 1788
CC:Volume 3 Appendix I	Newspaper Reports of the Calling of State Conventions Massachusetts <i>Worcester Magazine</i> , 20 December 1787 <i>Albany Gazette</i> , 3 January 1788 <i>Pennsylvania Packet</i> , 20 December 1787 <i>New York Independent Journal</i> , 27 December <i>New York Packet</i> , 28 December <i>Hudson Weekly Gazette</i> , 3 January 1788
CC:Volume 3 Appendix I	<i>Albany Gazette</i> , 20 December 1787 No New York reprints
CC:Volume 3 Appendix I	<i>Pennsylvania Packet</i> , 21 December 1787 <i>New York Daily Advertiser</i> , 27 December <i>New York Independent Journal</i> , 29 December <i>Hudson Weekly Gazette</i> , 3 January 1788
CC:Volume 3 Appendix I	<i>Salem Mercury</i> , 25 December 1787 <i>Albany Gazette</i> , 10 January 1788 <i>Poughkeepsie Country Journal</i> , 16 January
CC:Volume 3 Appendix I	<i>Pennsylvania Packet</i> , 25 December 1787 <i>New York Morning Post</i> , 31 December <i>New York Packet</i> , 1 January 1788 <i>Albany Gazette</i> , 3 January <i>Hudson Weekly Gazette</i> , 3 January

CC:No.	Item/New York Reprints
CC:Volume 3 Appendix I	<i>New Jersey Journal</i> , 26 December 1787 <i>New York Journal</i> , 1 January 1788 <i>Albany Gazette</i> , 10 January <i>New York Daily Advertiser</i> , 18 January
CC:Volume 3 Appendix I	<i>Pennsylvania Herald</i> , 29 December 1787 <i>New York Daily Advertiser</i> , 4 January 1788 (paragraph 1) <i>New York Packet</i> , 4 January 1788 (paragraph 2) <i>New York Independent Journal</i> , 5 January (paragraph 1) <i>Albany Gazette</i> , 10 January (paragraph 1) <i>Poughkeepsie Country Journal</i> , 16 January (paragraph 2) <i>Hudson Weekly Gazette</i> , 17 January (paragraph 2)
CC:Volume 3 Appendix I	<i>Philadelphia Freeman's Journal</i> , 2 January 1788 <i>New York Journal</i> , 5 January <i>New York Morning Post</i> , 5 January <i>Poughkeepsie Country Journal</i> , 16 January
CC:Volume 3 Appendix I	Political Society of Richmond, Virginia <i>Pennsylvania Gazette</i> , 2 January 1788 <i>New York Morning Post</i> , 12 January <i>New York Packet</i> , 18 January <i>Hudson Weekly Gazette</i> , 31 January <i>Philadelphia Independent Gazetteer</i> , 5 January 1788 <i>New York Journal</i> , 12 January
CC:Volume 3 Appendix I	John Hancock and the Constitution <i>Worcester Magazine</i> , 3 January 1788 <i>New York Journal</i> , 16 January <i>Massachusetts Gazette</i> , 11 January 1788 <i>New York Packet</i> , 22 January <i>Hudson Weekly Gazette</i> , 31 January
CC:Volume 3 Appendix I	<i>New York Journal</i> , 7 January 1788 No New York reprints
CC:Volume 3 Appendix I	Pillars of the American Republic <i>Massachusetts Gazette</i> , 15 January 1788 <i>New York Daily Advertiser</i> , 24 January (paragraphs 1–2) <i>New York Journal</i> , 24 January (paragraph 2) <i>New York Morning Post</i> , 25 January (paragraph 1) <i>New York Packet</i> , 25 January (paragraph 2) <i>Albany Gazette</i> , 31 January (paragraph 2) <i>Hudson Weekly Gazette</i> , 31 January (paragraph 2) <i>New York American Magazine</i> , January issue (paragraph 2)
CC:Volume 3 Appendix I	<i>Pennsylvania Gazette</i> , 9 January 1788 <i>New York Journal</i> , 12 January
CC:Volume 3 Appendix I	<i>Massachusetts Gazette</i> , 15 January 1788 <i>New York Daily Advertiser</i> , 24 January (paragraphs 1–3) <i>New York Morning Post</i> , 25 January (paragraphs 1–2)

CC:No.	Item/New York Reprints
CC:Volume 3 Appendix I	Lansingburgh <i>Northern Centinel</i> , 15 January 1788 <i>New York Daily Advertiser</i> , 28 January
CC:Volume 3 Appendix I	The Minority of the Connecticut Convention <i>Philadelphia Independent Gazetteer</i> , 21 January 1788 <i>New York Journal</i> , 10 March <i>New Haven Gazette</i> , 24 January 1788 <i>Albany Journal</i> , 31 January <i>Hudson Weekly Gazette</i> , 7 February <i>New York Packet</i> , 8 February <i>Poughkeepsie Country Journal</i> , 12 February
CC:Volume 3 Appendix I	<i>Pennsylvania Gazette</i> , 23 January 1788 <i>New York Morning Post</i> , 30 January (paragraphs 1–3) <i>New York Daily Advertiser</i> , 31 January (paragraph 2) <i>Albany Gazette</i> , 7 February (paragraph 2)
CC:Volume 3 Appendix I	Litchfield, Conn., <i>Weekly Monitor</i> , 28 January 1788 <i>New York Journal</i> , 8 February <i>New York Morning Post</i> , 8 February
CC:Volume 3 Appendix I	<i>Philadelphia Freeman's Journal</i> , 30 January 1788 <i>New York Journal</i> , 2 February <i>Albany Gazette</i> , 7 February
CC:Volume 3 Appendix I	<i>Pennsylvania Gazette</i> , 30 January 1788 <i>New York Independent Journal</i> , 2 February (paragraph 2) <i>New York Morning Post</i> , 2 February (paragraph 1) <i>New York Packet</i> , 5 February (paragraph 2) <i>Albany Gazette</i> , 7 February (paragraph 2)
CC:492	Publius: The Federalist 48 <i>New York Packet</i> , 1 February 1788 <i>New York Independent Journal</i> , 2 February <i>New York Daily Advertiser</i> , 4 February Book Edition, Second Volume, New York, 28 May
CC:493	Luther Martin: Genuine Information X <i>Baltimore Maryland Gazette</i> , 1 February 1788 <i>New York Journal</i> , 17, 18, 19 March
CC:495	Publius: The Federalist 49 <i>New York Independent Journal</i> , 2 February 1788 <i>New York Packet</i> , 5 February <i>New York Daily Advertiser</i> , 6 February Book Edition, Second Volume, New York, 28 May
CC:498	Civis: To the Citizens of South Carolina Charleston <i>Columbian Herald</i> , 4 February 1788 <i>New York Independent Journal</i> , 23, 27 February Pamphlet, Charleston, Bowen, and Co. No New York reprints

- CC:No. Item/New York Reprints**
- CC:516 Luther Martin: Genuine Information XII
Baltimore *Maryland Gazette*, 8 February 1788
New York Journal, 3, 7 April 1788
- CC:519 Publius: The Federalist 53
New York *Independent Journal*, 9 February 1788
New York Packet, 12 February
Book Edition, Second Volume, New York, 28 May
- CC:523 Charleston *City Gazette*, 11 February 1788
New York Packet, 28 March
Hudson Weekly Gazette, 3 April
- CC:524 Publius: The Federalist 54
New York Packet, 12 February 1788
New York *Independent Journal*, 13 February
Book Edition, Second Volume, New York, 28 May
- CC:525 Publius: The Federalist 55
New York *Independent Journal*, 13 February 1788
New York Packet, 15 February
Book Edition, Second Volume, New York, 28 May
- CC:526 A Citizen of the United States
Pennsylvania Gazette, 13 February 1788
New York Morning Post, 16 February
New York Packet, 11 March
Albany *Federal Herald* or *Albany Journal*, 24 March
(not extant)
- CC:529-A Popular Support for the Constitution
New Haven Gazette, 14 February 1788
New York Packet, 19 February
Albany *Federal Herald*, 25 February
Maryland Journal, 6 May 1788 (updated with Md. ratification)
New York Daily Advertiser, 14 May
New York Packet, 16 May
Hudson Weekly Gazette, 20 May
Poughkeepsie Country Journal, 27 May
- CC:529-B A Real Patriot
Pennsylvania Mercury, 26 February 1788
New York Daily Advertiser, 6 March
- CC:533 Publius: The Federalist 56
New York *Independent Journal*, 16 February 1788
New York Packet, 19 February
Book Edition, Second Volume, New York, 28 May
- CC:534 Spurious Centinel XV
Pennsylvania Mercury, 16 February 1788
New York Daily Advertiser, 23 February

- CC:No. Item/New York Reprints**
- CC:542 Publius: The Federalist 57
New York Packet, 19 February 1788
New York Independent Journal, 20 February
 Book Edition, Second Volume, New York, 28 May
- CC:546 Publius: The Federalist 58
New York Independent Journal, 20 February 1788
New York Packet, 22 February
 Book Edition, Second Volume, New York, 28 May
- CC:551 Brutus XIII
New York Journal, 21 February 1788
 No New York reprints
- CC:552 A Yankee
Pennsylvania Mercury, 21 February 1788
New York Journal, 26 February
 (introductory statement and verse)
New York Morning Post, 27 February (verse only)
- CC:553 The New Litany
Virginia Herald, 21 February 1788
New York Daily Advertiser, 1 April
- CC:554-B *Massachusetts Centinel*, 27 February 1788
New York Daily Advertiser, 6 March
New York Packet, 7 March
Albany Journal, 10 March
- CC:555 Publius: The Federalist 59
New York Packet, 22 February 1788
New York Independent Journal, 23 February
 Book Edition, Second Volume, New York, 28 May
- CC:556 Centinel XV
 Philadelphia *Independent Gazetteer*, 22 February 1788
New York Journal, 26 February
Albany Journal, 3 March
- CC:557 John Adams on the Constitution
New York Journal, 23 February 1788
 No New York reprints
- CC:558 Publius: The Federalist 60
New York Independent Journal, 23 February 1788
New York Packet, 26 February
 Book Edition, Second Volume, New York, 28 May
- CC:559 John Williams on the Constitution
Albany Federal Herald, 25 February 1788
New York Journal, 29 February
New York Packet, 29 February

CC:No.	Item/New York Reprints
	<i>Poughkeepsie Country Journal</i> , 4 March <i>New York Morning Post</i> , 8 March
CC:560	Hugh Williamson: Speech at Edenton, North Carolina <i>New York Daily Advertiser</i> , 25–27 February 1788 No New York reprints of full speech <i>Salem Mercury</i> , 5 August (excerpts) <i>New York Independent Journal</i> , 30 August
CC:564	Publius: The Federalist 61 <i>New York Packet</i> , 26 February 1788 <i>New York Independent Journal</i> , 27 February Book Edition, Second Volume, New York, 28 May
CC:565	Centinel XVI <i>Philadelphia Independent Gazetteer</i> , 26 February 1788 <i>New York Journal</i> , 4 March
CC:566-A	Governor John Hancock: Speech to the General Court Boston <i>Independent Chronicle</i> , 28 February 1788 <i>New York Daily Advertiser</i> , 7 March (excerpt) <i>New York Journal</i> , 7 March <i>New York Packet</i> , 7 March <i>Albany Journal</i> , 15 March <i>Albany Federal Herald</i> , 17 March
CC:566-C	<i>New York Journal</i> , 24 March 1788 No New York reprints
CC:569	Publius: The Federalist 62 <i>New York Independent Journal</i> , 27 February 1788 <i>New York Packet</i> , 29 February Book Edition, Second Volume, New York, 28 May
CC:570	James Bowdoin to James de Caledonia <i>Philadelphia Independent Gazetteer</i> , 27 February 1788 <i>New York Journal</i> , 6 March
CC:576	Brutus XIV <i>New York Journal</i> , 28 February 1788 No New York reprints
CC:577	The Arraignment of Centinel <i>Pennsylvania Mercury</i> , 28 February 1788 <i>New York Daily Advertiser</i> , 4 March
CC:581	A Columbian Patriot: Observations on the Constitution Boston, February 1788 Pamphlet, Thomas Greenleaf, New York, late March or early April
CC:582	Publius: The Federalist 63 <i>New York Independent Journal</i> , 1 March 1788 <i>New York Packet</i> , 4 March Book Edition, Second Volume, New York, 28 May

- CC:No. Item/New York Reprints**
- CC:588 The Landholder X
Connecticut Courant, 3 March 1788
New York Daily Advertiser, 4 April
- CC:592-A Publius: The Federalist 64
New York Independent Journal, 5 March 1788
New York Packet, 7 March
Book Edition, Second Volume, New York, 28 May
- CC:593 Philadelphia *Freeman's Journal*, 5 March 1788
New York Morning Post, 11 March
New York Journal, 20 March
Albany Federal Herald, 7 April
- CC:594 *Pennsylvania Gazette*, 5 March 1788
New York Morning Post, 10 March
New York Packet, 11 March
- CC:598 Brutus XIV (Continuation)
New York Journal, 6 March 1788
No New York reprints
- CC:601 Publius: The Federalist 65
New York Packet, 7 March 1788
New York Independent Journal, 8 March
Book Edition, Second Volume, New York, 28 May
- CC:602 Arthur Lee's Report on Virginia Antifederalism
Philadelphia *Independent Gazetteer*, 7 March 1788
New York Morning Post, 10 March
New York Journal, 11 March
New York Packet, 11 March
New York Independent Journal, 12 March
- CC:603 Philadelphia *Independent Gazetteer*, 7 March 1788
New York Morning Post, 11 March
New York Journal, 21 March
- CC:607 Publius: The Federalist 66
New York Independent Journal, 8 March 1788
New York Packet, 11 March
Book Edition, Second Volume, New York, 28 May
- CC:612 Publius: The Federalist 67
New York Packet, 11 March 1788
New York Independent Journal, 12 March
Book Edition, Second Volume, New York, 28 May
- CC:614 Philadelphia *Freeman's Journal*, 12 March 1788
New York Journal, 22 March (last paragraph only)
- CC:615 Publius: The Federalist 68
New York Independent Journal, 12 March 1788
New York Packet, 14 March
Book Edition, Second Volume, New York, 28 May

- CC:No. Item/New York Reprints**
- CC:617 Publius: The Federalist 69
New York Packet, 14 March 1788
New York Independent Journal, 15 March
Albany Federal Gazette, 31 March
 Book Edition, Second Volume, New York, 28 May
- CC:619 Publius: The Federalist 70
New York Independent Journal, 15 March 1788
New York Packet, 18 March
 Book Edition, Second Volume, New York, 28 May
- CC:622 The Landholder XII
Connecticut Courant, 17 March 1788
New York Packet, 4 April (excerpt)
New York Daily Advertiser, 9 April
- CC:624 Poughkeepsie *Country Journal*, 18 March 1788
Hudson Weekly Gazette, 27 March
New York Morning Post, 28 March (excerpt)
Albany Federal Herald, 7 April
- CC:625 Publius: The Federalist 71
New York Packet, 18 March 1788
New York Independent Journal, 19 March
 Book Edition, Second Volume, New York, 28 May
- CC:627 *Massachusetts Centinel*, 19 March 1788
New York Daily Advertiser, 1 April
New York Packet, 1 April
Hudson Weekly Gazette, 10 April (omits last sentence)
- CC:628 Publius: The Federalist 72
New York Independent Journal, 19 March 1788
New York Packet, 21 March
 Book Edition, Second Volume, New York, 28 May
- CC:629 *Virginia Independent Chronicle*, 19 March 1788
New York Packet, 1 April (omits last two sentences)
Albany Federal Herald, 7 April
Hudson Weekly Gazette, 10 April (omits last two sentences)
- CC:632 Brutus XV (continued)
New York Journal, 20 March
 No New York reprints
- CC:635 Publius: The Federalist 73
New York Packet, 21 March 1788
New York Independent Journal, 22 March
 Book Edition, Second Volume, New York, 28 May
- CC:638-A George Washington to Caleb Gibbs
Massachusetts Centinel, 22 March 1788
New York Daily Advertiser, 31 March
New York Journal, 31 March

- CC:No.** **Item/New York Reprints**
- New York Packet*, 1 April
 Albany Federal Herald, 7 April
 Poughkeepsie Country Journal, 8 April
 Hudson Weekly Gazette, 10 April
- CC:639-A Publication and Sale of the Book Edition of *The Federalist*,
 22 March 1788
 New York Independent Journal, 22 March 1788
 Reprinted in the *Independent Journal* until 28 May
 New York Daily Advertiser, 22 March
- CC:643 *Salem Mercury*, 25 March 1788
 New York Daily Advertiser, 8 April
- CC:644 Publius: *The Federalist* 74
 New York Packet, 25 March 1788
 New York Independent Journal, 26 March
 Book Edition, Second Volume, New York, 28 May
- CC:646 Publius: *The Federalist* 75
 New York Independent Journal, 26 March 1788
 New York Packet, 28 March
 Book Edition, Second Volume, New York, 28 May
- CC:647 Purported Letters from George Bryan to John Ralston
 Pennsylvania Gazette, 26 March 1788
 New York Packet, 28 March (Preface by "X." only)
 New York Daily Advertiser, 29 March
 (7 March letter without postscript)
 New York Journal, 18 April (7 March letter)
- CC:649 James Iredell: Address to the Freemen of Edenton, N.C.,
 c. 28–29 March 1788
 Philadelphia Federal Gazette, 19 April, excerpts
 New York Packet, 25 April
 New York Independent Journal, 26 April
 Hudson Weekly Gazette, 20 May
- CC:Volume 4 *New York Packet*, 1 February 1788
Appendix I *Albany Journal*, 11 February
 Hudson Weekly Gazette, 14 February
 (first two sentences only)
- CC:Volume 4 *New York Daily Advertiser*, 2 February 1788
Appendix I *New York Packet*, 5 February
 Hudson Weekly Gazette, 7 February
- CC:Volume 4 False Reports of North Carolina Ratification
Appendix I *Newport Herald*, 14 February 1788
 New York Journal, 26 February
 New York Journal, 14 February 1788
 Poughkeepsie Country Journal, 19 February
 Albany Gazette, 21 February (summary)

CC:No.	Item/New York Reprints
CC:Volume 4 Appendix I	<i>New York Daily Advertiser</i> , 5 February 1788 <i>New York Journal</i> , 8 February <i>New York Packet</i> , 8 February <i>Hudson Weekly Gazette</i> , 14 February
CC:Volume 4 Appendix 1	<i>New York Journal</i> , 5 February 1788 No New York reprints
CC:Volume 4 Appendix I	<i>New York Packet</i> , 5 February 1788 <i>New York Independent Journal</i> , 6 February <i>Poughkeepsie Country Journal</i> , 12 February
CC:Volume 4 Appendix I	<i>Newport Herald</i> , 7 February 1788 <i>New York Packet</i> , 21 March (paragraph 1)
CC:Volume 4 Appendix I	Last Intelligence from Boston <i>New York Journal</i> , 7 February 1788 No New York reprints
CC:Volume 4 Appendix I	Connecticut Letter Extract <i>New York Journal</i> , 7 February 1788 <i>New York Daily Advertiser</i> , 8 February <i>Poughkeepsie Country Journal</i> , 12 February
CC:Volume 4 Appendix I	<i>New York Daily Advertiser</i> , 8 February 1788 <i>New York Packet</i> , 8 February <i>Poughkeepsie Country Journal</i> , 12 February
CC:Volume 4 Appendix I	<i>New York Daily Advertiser</i> , 11 February 1788 <i>New York Packet</i> , 12 February
CC:Volume 4 Appendix I	Springfield, Mass., <i>Hampshire Chronicle</i> , 13 February 1788 <i>New York Packet</i> , 19 February <i>Hudson Weekly Gazette</i> , 28 February
CC:Volume 4 Appendix I	<i>Philadelphia Freeman's Journal</i> , 13 February 1788 <i>New York Morning Post</i> , 18 February <i>New York Journal</i> , 20 February
CC:Volume 4 Appendix I	<i>New Haven Gazette</i> , 14 February 1788 <i>New York Packet</i> , 18 February <i>Hudson Weekly Gazette</i> , 28 February
CC:Volume 4 Appendix I	<i>Newport Herald</i> , 14 February 1788 <i>New York Packet</i> , 29 February <i>New York Daily Advertiser</i> , 1 March
CC:Volume 4 Appendix I	<i>New York Packet</i> , 15 February 1788 <i>Albany Federal Herald</i> , 25 February (paragraph 1 only) <i>Hudson Weekly Gazette</i> , 28 February
CC:Volume 4 Appendix I	<i>New York Independent Journal</i> , 16 February 1788 No New York reprints

- CC:No.** **Item/New York Reprints**
- CC:Volume 4 Accounts from England
Appendix I *Pennsylvania Packet*, 18 February 1788
 New York Daily Advertiser, 21 February
 New York Morning Post, 23 February
Philadelphia *Freeman's Journal*, 20 February 1788
 New York Journal, 25 February
 New York Morning Post, 25 February
Philadelphia *Independent Gazetteer*, 21 February 1788
 New York Journal, 25 February
 New York Morning Post, 25 February
Pennsylvania Gazette, 27 February 1788
 New York Packet, 4 March
Massachusetts Centinel, 1 March 1788
 New York Packet, 11 March
 New York Independent Journal, 12 March
 Albany Federal Herald, 17 March
- CC:Volume 4 *Massachusetts Gazette*, 19 February 1788
Appendix I *New York Journal*, 28 February
 New York Packet, 29 February
 Albany Journal, 15 March
- CC:Volume 4 *Massachusetts Centinel*, 20 February 1788
Appendix I *New York Daily Advertiser*, 29 February (paragraph 1),
 1 March (paragraph 3)
 New York Packet, 29 February (paragraph 1)
 Albany Journal, 3 March (paragraph 1)
 Hudson Weekly Gazette, 6 March (all three paragraphs)
- CC:Volume 4 Philadelphia *Freeman's Journal*, 20 February 1788
Appendix I *New York Journal*, 23 February
- CC:Volume 4 *Pennsylvania Gazette*, 20 February 1788
Appendix I *New York Morning Post*, 23 February (paragraphs 2–6)
- CC:Volume 4 *Newport Herald*, 21 February 1788
Appendix I *Albany Gazette*, 13 March
- CC:Volume 4 Reports of South Carolina's Call of a Convention
Appendix I *Boston Gazette*, 25 February 1788
 New York Morning Post, 8 March
- CC:Volume 4 *Pennsylvania Mercury*, 21 February 1788
Appendix I *New York Daily Advertiser*, 28 February
- CC:Volume 4 Middletown, Conn., *Middlesex Gazette*, 25 February 1788
Appendix I *Albany Federal Herald*, 17 March
- CC:Volume 4 *Salem Mercury*, 26 February 1788
Appendix I *New York Journal*, 3 March
 Poughkeepsie Country Journal, 11 March

CC:No.	Item/New York Reprints
CC:Volume 4 Appendix I	Philadelphia <i>Independent Gazetteer</i> , 26 February 1788 <i>New York Journal</i> , 3 March (excerpt)
CC:Volume 4 Appendix I	<i>Pennsylvania Mercury</i> , 26 February 1788 <i>New York Packet</i> , 4 March <i>Albany Federal Herald</i> , 17 March <i>Albany Journal</i> , 17 March
CC:Volume 4 Appendix I	South Carolina Legislature Federalist <i>Pennsylvania Gazette</i> , 27 February 1788 <i>New York Packet</i> , 4 March
CC:Volume 4 Appendix I	Letter from Wilmington <i>Pennsylvania Gazette</i> , 27 February 1788 <i>New York Packet</i> , 4 March <i>Albany Federal Herald</i> , 17 March
CC:Volume 4 Appendix I	<i>Pennsylvania Mercury</i> , 28 February 1788 <i>New York Daily Advertiser</i> , 5 March <i>New York Packet</i> , 7 March <i>Hudson Weekly Gazette</i> , 27 March
CC:Volume 4 Appendix I	<i>New York Packet</i> , 29 February 1788 <i>Hudson Weekly Gazette</i> , 6 March
CC:Volume 4 Appendix I	<i>Providence Gazette</i> , 1 March 1788 <i>New York Journal</i> , 13 March <i>Poughkeepsie Country Journal</i> , 18 March
CC:Volume 4 Appendix I	<i>New York Morning Post</i> , 3 March 1788 <i>New York Daily Advertiser</i> , 3 March (2nd letter) <i>New York Journal</i> , 3 March (paraphrase of 1st letter) <i>New York Packet</i> , 4 March (2nd letter) <i>Poughkeepsie Country Journal</i> , 11 March (2nd letter)
CC:Volume 4 Appendix I	<i>New York Journal</i> , 3 March 1788 <i>New York Daily Advertiser</i> , 4 March <i>Poughkeepsie Country Journal</i> , 11 March <i>Hudson Weekly Gazette</i> , 13 March
CC:Volume 4 Appendix I	Philadelphia <i>Independent Gazetteer</i> , 3 March 1788 <i>New York Journal</i> , 8 March
CC:Volume 4 Appendix I	Philadelphia <i>Independent Gazetteer</i> , 4 March 1788 <i>New York Morning Post</i> , 7 March <i>New York Journal</i> , 8 March
CC:Volume 4 Appendix I	<i>Massachusetts Centinel</i> , 8 March 1788 <i>New York Daily Advertiser</i> , 17 March (paragraph 3), 20 March (paragraph 4) <i>New York Journal</i> , 17 March (paragraph 3) <i>New York Morning Post</i> , 18 March (paragraphs 1–2)

CC:No.	Item/New York Reprints
	<i>New York Packet</i> , 18 March (paragraphs 3–4) <i>Hudson Weekly Gazette</i> , 27 March (paragraph 3)
CC:Volume 4 Appendix I	Philadelphia <i>Federal Gazette</i> , 8 March 1788 <i>New York Daily Advertiser</i> , 12 March
CC:Volume 4 Appendix I	Poughkeepsie <i>Country Journal</i> , 11 March 1788 <i>Albany Journal</i> , 15 March
CC:Volume 4 Appendix I	<i>Pennsylvania Gazette</i> , 12 March 1788 <i>New York Morning Post</i> , 14 March (all four paragraphs) <i>New York Daily Advertiser</i> , 14, 15 March (all four paragraphs) <i>New York Independent Journal</i> , 15 March (paragraphs 1–2) <i>New York Packet</i> , 18 March (paragraphs 1) <i>Hudson Weekly Gazette</i> , 27 March (paragraph 1)
CC:Volume 4 Appendix I	Philadelphia <i>Independent Gazetteer</i> , 14 March 1788 <i>New York Journal</i> , 18 March <i>Albany Gazette</i> , 27 March <i>Hudson Weekly Gazette</i> , 3 April
CC:Volume 4 Appendix I	<i>Massachusetts Centinel</i> , 15 March 1788 <i>New York Packet</i> , 25 March <i>New York Daily Advertiser</i> , 26 March
CC:Volume 4 Appendix I	<i>Massachusetts Centinel</i> , 19 March 1788 <i>New York Daily Advertiser</i> , 1 April
CC:Volume 4 Appendix I	<i>Pennsylvania Gazette</i> , 19 March 1788 <i>Albany Gazette</i> , 27 March (paragraph 1) <i>Hudson Weekly Gazette</i> , 3 April (paragraph 1)
CC:Volume 4 Appendix I	<i>New York Daily Advertiser</i> , 25 March 1788 <i>New York Independent Journal</i> , 26 March
CC:Volume 4 Appendix I	<i>Pennsylvania Gazette</i> , 26 March 1788 <i>New York Independent Journal</i> , 29 March (paragraph 1) <i>New York Journal</i> , 29 March (paragraph 1)
CC:Volume 4 Appendix II	Centinel IX (excerpt from CC:427) Philadelphia <i>Independent Gazetteer</i> , 8 January 1788 <i>New York Journal</i> , 14 January
CC:Volume 4 Appendix II	Thomas Greenleaf <i>New York Journal</i> , 10 January 1788 No New York reprints
CC:Volume 4 Appendix II	Centinel XI (excerpt from CC:453) Philadelphia <i>Independent Gazetteer</i> , 16 January 1788 <i>New York Journal</i> , 21 January

CC:No.	Item/New York Reprints
CC:Volume 4 Appendix II	Philadelphia <i>Freeman's Journal</i> , 16 January 1788 <i>New York Journal</i> , 25 January
CC:Volume 4 Appendix II	Delays in the Circulation of Genuine Information <i>New York Journal</i> , 16 February 1788 No New York reprints <i>New York Journal</i> , 8 April 1788 No New York reprints
CC:Volume 4 Appendix II	<i>New York Journal</i> , 23 January 1788 No New York reprints
CC:Volume 4 Appendix II	"M" Philadelphia <i>Independent Gazetteer</i> , 26 January 1788 <i>New York Journal</i> , 2 February
CC:Volume 4 Appendix II	Centinel XIII (excerpt from CC:487) Philadelphia <i>Independent Gazetteer</i> , 30 January 1788 <i>New York Journal</i> , 12 February
CC:Volume 4 Appendix II	Centinel XIV (excerpt from CC:501) Philadelphia <i>Independent Gazetteer</i> , 5 February 1788 <i>New York Journal</i> , 13, 15 February
CC:Volume 4 Appendix II	<i>Albany Gazette</i> , 7 February 1788 <i>New York Journal</i> , 16 February (paraphrase)
CC:Volume 4 Appendix II	Philadelphia <i>Independent Gazetteer</i> , 8 February 1788 (excerpt from CC:515) <i>New York Morning Post</i> , 12 February <i>New York Journal</i> , 22 February
CC:Volume 4 Appendix II	<i>Massachusetts Centinel</i> , 16 February 1788 <i>New York Journal</i> , 25 February <i>Albany Gazette</i> , 13 March <i>Hudson Weekly Gazette</i> , 20 March
CC:Volume 4 Appendix II	Centinel XV (excerpt from CC:556) Philadelphia <i>Independent Gazetteer</i> , 22 February 1788 <i>New York Journal</i> , 26 February Albany <i>Journal</i> , 3 March
CC:Volume 4 Appendix II	<i>Maryland Journal</i> , 29 February 1788 <i>New York Morning Post</i> , 10 March (paragraph 2) <i>New York Journal</i> , 11 March (paragraph 2) <i>Albany Gazette</i> , 13 March (paragraph 2) <i>New York Journal</i> , 2 April (paragraph 1)
CC:Volume 4 Appendix II	Thomas Greenleaf's Editorial Statement <i>New York Journal</i> , 10 March 1788 No New York reprints

CC:No.	Item/New York Reprints
CC:Volume 4 Appendix II	<i>Maryland Journal</i> , 11 March 1788 <i>New York Journal</i> , 19 March
CC:Volume 4 Appendix II	Eleazer Oswald's Statement Philadelphia <i>Independent Gazetteer</i> , 12 March 1788 <i>New York Journal</i> , 21 March
CC:Volume 4 Appendix II	<i>New Hampshire Spy</i> , 18 March 1788 <i>New York Journal</i> , 31 March
CC:Volume 4 Appendix II	Philadelphia Newspaper Printers' Petition, 20–29 March 1788 Philadelphia <i>Independent Gazetteer</i> , 10 May 1788 <i>New York Daily Advertiser</i> , 17 May <i>New York Journal</i> , 17 May
CC:Volume 4 Appendix II	<i>New York Journal</i> , 20 March 1788 No New York reprints
CC:Volume 4 Appendix II	<i>Massachusetts Gazette</i> , 21 March 1788 <i>New York Journal</i> , 2 April
CC:Volume 4 Appendix II	Ebenezer Hazard's Defense <i>New York Journal</i> , 21 March 1788 <i>New York Independent Journal</i> , 22 March (without prefatory letter)
CC:Volume 4 Appendix II	A True Federalist <i>New York Journal</i> , 25 March 1788 No New York reprints
CC:Volume 4 Appendix II	Watchman Philadelphia <i>Independent Gazetteer</i> , 26 March 1788 <i>New York Journal</i> , 31 March
CC:Volume 4 Appendix II	Purported Letters from George Bryan to John Ralston (excerpts from CC:647) <i>Pennsylvania Gazette</i> , 26 March 1788 For reprints see CC:647 (above)
CC:Volume 4 Appendix II	The Editors Winchester <i>Virginia Gazette</i> , 26 March 1788 <i>New York Journal</i> , 12 April
CC:Volume 4 Appendix II	<i>New Hampshire Spy</i> , 28 March 1788 <i>New York Journal</i> , 10 April
CC:Volume 4 Appendix II	Centinel XVIII (excerpt from CC:671) Philadelphia <i>Independent Gazetteer</i> , 9 April 1788 <i>New York Journal</i> , 12 April
CC:Volume 4 Appendix II	Philadelphia <i>Independent Gazetteer</i> , 6 May 1788 <i>New York Journal</i> , 12 May

CC:No.	Item/New York Reprints
CC:Volume 4 Appendix II	<i>Massachusetts Centinel</i> , 7 May 1788 <i>New York Daily Advertiser</i> , 20 May <i>New York Independent Journal</i> , 21 May
CC:Volume 4 Appendix II	<i>Salem Mercury</i> , 27 May 1788 <i>New York Journal</i> , 5 June
CC:656	Publius: The Federalist 76 <i>New York Packet</i> , 1 April 1788 <i>New York Independent Journal</i> , 2 April Book Edition, Second Volume, New York, 28 May
CC:657	Publius: The Federalist 77 <i>New York Independent Journal</i> , 2 April 1788 <i>New York Packet</i> , 4 April Book Edition, Second Volume, New York, 28 May
CC:658	<i>Pennsylvania Gazette</i> , 2 April 1788 <i>New York Independent Journal</i> , 5 April <i>New York Morning Post</i> , 7 April
CC:662	Luther Martin: Address No. IV <i>Maryland Journal</i> , 4 April 1788 <i>New York Journal</i> , 28 April
CC:666	Observations on the Proposed Constitution Antifederalist Pamphlet Anthology, New York, c. 6 April 1788 No New York reprints
CC:671	Centinel XVIII Philadelphia <i>Independent Gazetteer</i> , 9 April 1788 <i>New York Journal</i> , 12 April
CC:674	Brutus XVI <i>New York Journal</i> , 10 April 1788 No New York reprints
CC:683	A Citizen of New-York: An Address to the People of the State of New York Pamphlet, New York, 15 April 1788 No New York reprints
CC:685	Peter Prejudice: The New Breeches Philadelphia <i>Federal Gazette</i> , 15 April 1788 <i>New York Packet</i> , 22 April <i>Lansingburgh Federal Herald</i> , 5 May
CC:689	A Plebeian: An Address to the People of the State of New York, 17 April 1788 <i>Lansingburgh Federal Herald</i> , 28 April, 5, 12 May (first thirteen pages)
CC:691	Elbridge Gerry Responds to the Maryland "Landholder" X Boston <i>American Herald</i> , 18 April 1788 <i>New York Journal</i> , 30 April

CC:No.	Item/New York Reprints
CC:Volume 5 Appendix I	<i>Pennsylvania Gazette</i> , 9 April 1788 <i>New York Daily Advertiser</i> , 11 April (paragraphs 1–2)
CC:Volume 5 Appendix I	Annapolis <i>Maryland Gazette</i> , 10 April 1788 <i>New York Packet</i> , 22 April <i>New York Independent Journal</i> , 23 April <i>New York Journal</i> , 23 April
CC:Volume 5 Appendix I	<i>New York Morning Post</i> , 11 April 1788 No New York reprints
CC:Volume 5 Appendix I	<i>Massachusetts Centinel</i> , 12 April 1788 <i>Poughkeepsie Country Journal</i> , 29 April
CC:Volume 5 Appendix I	Philadelphia <i>Federal Gazette</i> , 12 April 1788 <i>New York Daily Advertiser</i> , 19 April <i>New York Packet</i> , 22 April (1st paragraph only) <i>Poughkeepsie Country Journal</i> , 22 April <i>New York Independent Journal</i> , 23 April (1st paragraph only) <i>Lansingburgh Federal Herald</i> , 28 April (1st paragraph only)
CC:Volume 5 Appendix I	The Federal Hat <i>New Hampshire Spy</i> , 15 April 1788 <i>New York Impartial Gazetteer</i> , 31 May (altered version) <i>Albany Journal</i> , 16 June (altered version)
CC:Volume 5 Appendix I	<i>Salem Mercury</i> , 15 April 1788 <i>New York Journal</i> , 29 April
CC:Volume 5 Appendix I	Philadelphia <i>Independent Gazetteer</i> , 16 April 1788 <i>New York Journal</i> , 19, 21 April (both paragraphs) <i>Poughkeepsie Country Journal</i> , 29 April (paragraph 1)
CC:Volume 5 Appendix I	Philadelphia <i>Federal Gazette</i> , 17 April 1788 <i>New York Daily Advertiser</i> , 22 April <i>New York Independent Journal</i> , 23 April
CC:Volume 5 Appendix I	<i>Pennsylvania Mercury</i> , 17 April 1788 <i>New York Daily Advertiser</i> , 21 April
CC:Volume 5 Appendix I	Philadelphia <i>Independent Gazetteer</i> , 17 April 1788 <i>New York Journal</i> , 23 April
CC:Volume 5 Appendix I	<i>Pennsylvania Gazette</i> , 23 April 1788 <i>New York Daily Advertiser</i> , 30 April
CC:Volume 5 Appendix I	<i>New York Journal</i> , 24 April 1788 No New York reprints
CC:Volume 5 Appendix I	<i>New York Morning Post</i> , 28 April 1788 No New York reprints

CC:No.	Item/New York Reprints
CC:Volume 5 Appendix I	Charleston <i>City Gazette</i> , 29 April 1788 New York <i>Daily Advertiser</i> , 14 May Lansingburgh <i>Federal Herald</i> , 26 May
CC:Volume 5 Appendix I	<i>Pennsylvania Gazette</i> , 30 April 1788 New York <i>Daily Advertiser</i> , 2 May (paragraph 2) New York <i>Packet</i> , 6 May (both paragraphs) <i>Hudson Weekly Gazette</i> , 13 May (paragraph 1)
CC:Volume 5 Appendix I	Providence <i>United States Chronicle</i> , 1 May 1788 New York <i>Morning Post</i> , 20 May
CC:Volume 5 Appendix I	New York <i>Daily Advertiser</i> , 1 May 1788 New York <i>Journal</i> , 2 May New York <i>Packet</i> , 2 May Lansingburgh <i>Federal Herald</i> , 12 May <i>Hudson Weekly Gazette</i> , 13 May
CC:Volume 5 Appendix I	<i>Pennsylvania Mercury</i> , 1 May 1788 New York <i>Packet</i> , 6 May <i>Hudson Weekly Gazette</i> , 13 May Lansingburgh <i>Federal Herald</i> , 19 May
CC:Volume 5 Appendix I	<i>Pennsylvania Packet</i> , 2 May 1788 New York <i>Daily Advertiser</i> , 5 May <i>Albany Journal</i> , 12 May Poughkeepsie <i>Country Journal</i> , 13 May <i>Hudson Weekly Gazette</i> , 13 May Lansingburgh <i>Federal Herald</i> , 19 May
CC:Volume 5 Appendix I	Philadelphia <i>Independent Gazetteer</i> , 6 May 1788 New York <i>Journal</i> , 16 May
CC:Volume 5 Appendix I	<i>Pennsylvania Gazette</i> , 7 May 1788 New York <i>Packet</i> , 16 May (paragraph 2) Poughkeepsie <i>Country Journal</i> , 27 May (paragraph 2) New York <i>Daily Advertiser</i> , 1 July (paragraph 1) <i>Albany Journal</i> , 14 July (paragraph 1)
CC:Volume 5 Appendix I	<i>Delaware Gazette</i> , 7 May 1788 New York <i>Packet</i> , 16 May Poughkeepsie <i>Country Journal</i> , 27 May
CC:Volume 5 Appendix I	<i>Maryland Journal</i> , 9 May 1788 New York <i>Packet</i> , 23 May Poughkeepsie <i>Country Journal</i> , 3 June
CC:739	The Federalist's Political Creed Philadelphia <i>Independent Gazetteer</i> , 10 May 1788 New York <i>Journal</i> , 24 May
CC:740	A Patriotic Citizen <i>Pennsylvania Mercury</i> , 10 May 1788 New York <i>Independent Journal</i> , 17 May

- CC:No. Item/New York Reprints**
- CC:742 A Freeman
Philadelphia *Independent Gazetteer*, 13 May 1788
New York Journal, 17 May
- CC:747 *Maryland Journal*, 16 May 1788
New York Daily Advertiser, 11 June
Albany Gazette, 12 June
Hudson Weekly Gazette, 24 June
- CC:751 An American: To the Members of the Virginia Convention
Pennsylvania Gazette, 21, 28 May 1788
New York Daily Advertiser, 9, 10, 12, 13 June (first essay)
- CC:753 South Carolina Convention Amendments, 23 May 1788
Charleston *Columbian Herald*, 26 May 1788
New York Independent Journal, 7 June
New York Journal, 7, 12 June
New York Morning Post, 7 June
New York Packet, 10 June
Lansingburgh *Federal Herald*, 23 June
As Part of Form of Ratification Read in Congress on 6 June
New York Daily Advertiser, 7 June
New York Impartial Gazetteer, 7 June
Hudson Weekly Gazette, 17 June
Poughkeepsie Country Journal, 17 June
- CC:759 Publius: The Federalist 78
Book Edition, Second Volume, New York, 28 May 1788
New York Independent Journal, 14 June
New York Packet, 17, 20 June
- CC:760 Publius: The Federalist 79
Book Edition, Second Volume, New York, 28 May 1788
New York Independent Journal, 18 June
New York Packet, 24 June
- CC:761 Publius: The Federalist 80
Book Edition, Second Volume, New York, 28 May 1788
New York Independent Journal, 21 June
New York Packet, 27 June, 1 July
- CC:762 Publius: The Federalist 81
Book Edition, Second Volume, New York, 28 May 1788
New York Independent Journal, 25, 28 June
New York Packet, 4, 8 July
- CC:763 Publius: The Federalist 82
Book Edition, Second Volume, New York, 28 May 1788
New York Independent Journal, 2 July
New York Packet, 11 July
- CC:764 Publius: The Federalist 83
Book Edition, Second Volume, New York, 28 May 1788
New York Independent Journal, 5, 9, 12 July
New York Packet, 15, 18, 22, 25 July

- CC:No. Item/New York Reprints**
- CC:765 Publius: The Federalist 84
Book Edition, Second Volume, New York, 28 May 1788
New York *Independent Journal*, 16, 26 July, 9 August
New York *Packet*, 29 July, 8, 12 August
- CC:766 Publius: The Federalist 85
Book Edition, Second Volume, New York, 28 May 1788
New York *Independent Journal*, 13, 16 August
New York *Packet*, 15 August
- Editors' Note Curtius
Boston *Independent Chronicle*, 5 June 1788
(last three paragraphs)
New York *Packet*, 13 June
- CC:773 David Ramsay Oration
Charleston *Columbian Herald*, 5 June 1788
New York *Daily Advertiser*, 17 July
- CC:780 A Pennsylvanian: To the New York Convention
Pennsylvania *Gazette*, 11 June 1788
New York *Daily Advertiser*, 14, 17 June
- CC:785 New Hampshire Convention Amendments, 21 June 1788
New Hampshire *Spy*, 24 June 1788
New York *Journal*, 3 July
New York *Daily Advertiser*, 4 July
New York *Independent Journal*, 5 July
Poughkeepsie *Country Journal*, 8 July
- CC:790 Virginia Convention Amendments, 27 June 1788
New York *Daily Advertiser*, 9 July
New York *Journal*, 10 July
Poughkeepsie *Country Journal*, 15, 22 July
- CC:793 Pennsylvania *Mercury*, 28 June 1788
New York *Daily Advertiser*, 2 July
New York *Journal*, 2 July
New York *Packet*, 4 July
Lansingburgh *Federal Herald*, 14 July
New York *Packet*, 12 August
- CC:799-E James Wilson Oration, Philadelphia, 4 July 1788
Pennsylvania *Gazette*, 9 July 1788
New York *Journal*, 18 July
New York *Packet*, 1 August ("concluding clause" only)
Hudson *Weekly Gazette*, 23 September (lengthy excerpt)
- CC:799-F Francis Hopkinson: An Ode
Broadside, Philadelphia, 4 July 1788
New York *Packet*, 11 July
Lansingburgh *Federal Herald*, 21 July
Poughkeepsie *Country Journal*, 22 July
Albany *Journal*, 4 August

- CC:No. Item/New York Reprints**
- CC:800 Springfield, Mass., *Hampshire Chronicle*, 9 July 1788
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they had been appointed, and, from whom they derived all their Authority which they had to assemble for a very different Purpose. — But, in their ^{own} Conventions of the People, they have not been much more polite than they ^{are} to have to the Legislature, ^{as you} must have observed; ^{as you} it is not submitted to the former for their ^{approval} ~~approval~~ or Rejection, but, ^{expressly} For their Assent and Ratification — which seems to exclude all manner of Choice! — Was ever Self-sufficiency more evident?

The Legislature are directed to call Conventions of the People for ^{the purpose of} ~~the purpose of~~ settling the Revolt of their ^{and supporting the Imperial Law of the Land} ~~States~~. — Can any thing be more humiliating to Sovereign ^{States}?

Would this Junta have ^{the} ~~the~~ offer such an Indignity to ^{any} ~~any~~ Sovereign Prince in Europe, had they been ^{appointed} ~~appointed~~ by one?

I know ^{the} ~~the~~ ^{negative} ~~negative~~ ^{of} ~~of~~ ^{the} ~~the~~ ^{legislature} ~~legislature~~ should not be ^{formed} ~~formed~~ ^{clear} ~~clear~~ ^{on} ~~on ^{such} ~~such~~ ^{an} ~~an ^{open} ~~open ^{attempt} ~~attempt ^{to} ~~to ^{disparage} ~~disparage~~ ^{the} ~~the~~ ^{present} ~~present~~ ^{federative} ~~federative~~ ^{union} ~~union~~ ⁱⁿ ~~in~~ ^a ~~a~~ ^{little} ~~little ^{Time} ~~Time, expect a ^{Shays} ~~Shays~~, or perhaps, a much more formidable ^{Insurgent} ~~Insurgent~~ ⁱⁿ ~~in~~ ^{this} ~~this~~ ^{State} ~~State~~.~~~~~~~~~~~~~~

Does the 6th Article of the new Draft? It does not appear to me that either the Federal Farmer, or any other writer that I have seen, has sufficiently considered that clause, and the consequences, ^{which} it may involve.

I am sensible that the ^{draft} ~~draft~~ calls it a ^{Successing} ~~Successing ^{Clause} ~~Clause~~ but, I imagine, not altogether ^{what} ~~what I am going to observe, or he ^{we} ~~we have been more explicit. These are the words — "The Laws which shall be made in Pursuance thereof, and all Treaties made, or which shall be made, under the Authority of the United States, shall be the ^{supreme} ~~supreme~~ Law of the Land; &c." — You well know, that I am not disposed to dispute about words, unless they lead to errors, in which case, I think, that ^{they} ~~they~~ ought to be~~~~~~

thoroughly considered and well understood, especially in an affair of such vast importance as the present.

The word 'Supreme' is, I believe, generally received, in Law & Divinity, as an Objective of the superlative Term, and implies the highest Dignity or Authority for

The Constitution is to be the highest Authority - The Laws are to be the highest Authority, and all Treaties made, or to be made, are to be the highest Authority, and yet there is to be but one Authority!

and we shall therefore have it appear

How can it be so? - If the Laws & Treaties are of a high Authority as the Constitution, I should be glad to know what Security we have for any one Right whatever

express of this, to reconcile it to their own Views, I confess to you, that it appears to me something like a contradiction.

What Security we have for any one Right whatever, if there is no explicit Veto that the Laws shall not be want to the Constitution?

It is true, they are to be made in Pursuance of the Constitution, but Pursuance is a vague Term, and does not give

consequence. I have always understood, that the Laws derive their Authority from the Constitution, or

compact, if it is sometimes called, and that the Authority, in free Governments, from the common Consent of the People

joins the reciprocal Duties between the Governed and their Governors, or, perhaps, more properly, their faithful servants

to manage or conduct the Affairs of the Society or Community agreeably to certain Regulations mentioned in the original Compact or Constitution, and not otherwise, but at the Risk of being dissolved or opposed, as the Case may require.

If this Idea of a free Government, are justly thought there not to have been a Distinction between the Authority of the Constitution, and that of the Laws, Treaties &c. The Constitution when once Government is organized, will be

little more than passive, but the Laws, Treaties, &c. of Congress will be active and

whence it is easy to foresee what will be

Wherever you think one wrong
I am willing to submit my Opinion for
any two of the signing Members, who,
if they can not agree, may call
in another signing Member, to be
their Opponent, or at our Office
to this, I think you will not object.

I wish to observe, that
whenever any thing appears doubtful
or ambiguous, I mean to give it the
most probable construction, and
upon this we join issue.

in ^{interest} of the State,
No, I shall not think one is to be
or ^{reduced} to, and will please to permit me
what, by a line to the P. of the P. A., for the Editor's
his observations shall be gratefully attended to, &c.

In the first Place then, I shall consider
the Expedition of

"We the People of the United
States, in order to form a more perfect
Union, establish Justice, insure de-
fense, promote the general Welfare,
and secure the Blessings of Liberty
to ourselves and our Posterity, do
ordain and establish this Constitution
for the United States of America."

But alas! the Printer has done
us wrong in these words, "We the People"
implied, and so much involved
the sense of the words, that it is
not possible to understand them
without the aid of the
commentaries, which are
now published. I am really afraid it
will stand by bear out
Boehmer's justifications do to Van
Swinderen's commentaries, which
are the only ones that
are now published. If any
body were to read these
words in the Constitution, it
would be a great deal better
to read them in the
commentaries.

Unhappy it is that
the words "do ordain and establish"
are not to be understood
as they are in the
commentaries.

Is it not evident from the
language here used, till we come to the
words "do ordain" that the
Convention had themselves in
contemplation, in the first part, and
their posterity in the latter? —
Is not "We the People of the United States"
as applicable to the Members of the
Convention, as to any other People in the
State? does not the word "do ordain"
as well as "do establish" warrant the
conclusion, that the Convention had
themselves in contemplation, and
their posterity? — Is it not also
further supported by the
last clause, that is, "do ordain
and establish this Constitution for
the United States of America?" which

But, altho' these two principal Arts
 are pretty well established, as well as the
 Mode of ascertaining them; yet, are the
 Objects of the Mode, not so fully ascer-
 tained as ~~could~~ have been wished. ~~Call~~
 The Words "By adding to the
 whole Number of free Persons, in-
 cluding those bound to Service for a
 Term of Years ^(as computed & reduced) ~~not~~ ~~less~~ ~~than~~ ~~one~~ ~~third~~ ~~of~~ ~~all~~
 "other Persons." are not sufficiently
 descriptive, of the Objects of Innume-
 ration to prevent Disputes, ~~and~~
 they may fully enough admit of
 the potential Right of Congress to define
 the Object, as well as they do the Act of
 throwing the Burden of Taxes on the
 poor and middling People. — Yes, even
 on the poor Women who go out to labour
 for support ^{the} ^{Value} ^{of} ^{the} ^{work} ^{they} ^{do} ^{and} ^{the} ^{care} ^{of} ^{the} ^{children} — And
 this, being fit to screen the Aids of
 opulent, whose numbers there can
 not be so easily measured; as the ~~Num.~~
^{of} ^{the} ^{rich} ^{can} ^{be} ^{counted}. It is not
 with this ~~an~~ ~~any~~ ~~essential~~ ~~Act~~ ~~of~~ ~~the~~
 Wisdom, or ~~of~~ ~~the~~ ~~will~~ ~~born~~?

But, the "Three fifths of all
 "other Persons." produces another
 Act ~~which~~ ^{that} is, rather latent, but which,
 I shall endeavour to unfold. It is the
 Act of the S. States to have a Representation
 in Congress for every 5,000 Slaves ^{that} ^{now} ^{have} ^{or}
 hold ⁱⁿ ^{Bondage} for ³/₅ of 5,000 ^{is} ^{equal}
 to 30, which entitles them to a Representation.
 So that 100 Planters in those States, each
 having 500 Slaves, will have a ^{representative}
 when it will require 9,000 of our
 Northern Farmers, supporting their Families, each
 to average 6 Persons, to entitle them
 to ~~an~~ ^{the} ^{same} ^{number} ^{of} ^{representatives}. ^{They} ^{may} ^{be} ^{called} ^{the}
 Act of Independence, ^{and} ^{as} ^{yet} ^{to} ^{have} ^{been}
 established as a compensation for the ^{injury}
 Injuries of the Climate, ^{and} ^{as} ^{well} ^{as} ^{the} ^{pre-}
 sent, an Equilibrium in Dividing the
 6 Leaves of ~~the~~ ~~Act~~ ~~of~~
 113 ^{the} ^{Act} ^{of} ^{the} ¹⁷⁸⁷ ^{for} ^{every} ³⁰.
 is ⁱⁿ ^{the} ^{Act} ^{of} ^{the} ¹⁷⁸⁷ ^{for} ^{every} ³⁰.
^{and} ^{as} ^{yet} ^{to} ^{have} ^{been}
 established as a compensation for the ^{injury}
 Injuries of the Climate, ^{and} ^{as} ^{well} ^{as} ^{the} ^{pre-}
 sent, an Equilibrium in Dividing the
 6 Leaves of ~~the~~ ~~Act~~ ~~of~~

And this may produce a Act of Policy or not
 marrying, in the one way, and that of preserving Abor-
 tions in the other, both which, together with the usual
 Prepos of the African, in the Southern States may in a few
 Years, greatly affect the Influence of N. States, in national
 Councils

some of ^{whom} ^{perhaps} ⁱⁿ ^{their} ^{very} ^{Infancy} ^{at}
 the Word "Person" it is said, may include
 every ^{human} ^{creature}, ^{whether} ^{born} ^{or} ^{conceived}
^{when} ^{born} ^{or} ^{conceived} ⁱⁿ ^{the} ^{State} ^{of} ^{the} ^{Union}
 requisite for ascertaining the Substance of this Statute, it
 is supposed, will be of course, be an Object
 of Legislation, if it bears but a ~~700~~ ¹⁷⁰⁰ ^{of} ^{the} ^{total}
 Whilst the Words "Three fifths" may
 be imply a Act of Exemption for the Children
 of Slaves &c. —

Whilst a Part of the very ^{same} ^{Words}
 that is "Three fifths of all other Persons"
 undoubtedly implies a Act of Exempt
 from Taxes, for the Superannuated and
 infant Slaves.

with a number of
 the inevitable Consequences of ^{the} ^{short} ^{of} ^{any} ^{Slaves}
^{do} ^{not} ^{admit} ^{of} ^{an} ^{independent} ^{national} ^{Defer-}
^{ence} ^{as} ^{our} ^{own} ^{is} ^{not} ^{to} ^{be} ^{an} ^{auxiliary} ^{for}
^{and} ^{as} ^{yet} ^{to} ^{have} ^{been}
 established as a compensation for the ^{injury}
 Injuries of the Climate, ^{and} ^{as} ^{well} ^{as} ^{the} ^{pre-}
 sent, an Equilibrium in Dividing the
 6 Leaves of ~~the~~ ~~Act~~ ~~of~~

as a smaller ^{somehow essential} ~~the~~ means of managing
 are not yet obtained, and when they are, the form
 candidates, the better than —

our remedy ^{the} ~~is~~ ^{an} ~~alternative~~ ^{is} ~~alternative~~
 or Amendment can take place —

[The remainder of the page contains several paragraphs of extremely faint, illegible handwritten text.]

142. New York General Assembly's Resolution Calling a State Convention, 31 January-1 February 1788 (Broadside).¹

S T A T E O F N E W - Y O R K .

In ASSEMBLY, January 31st, 1788.

WHEREAS the United States in Congress assembled, did on the 28th day of September last, unanimously resolve, "That the report of the Convention of the States lately assembled in Philadelphia, with the resolutions and letter accompanying the same, be transmitted to the several Legislatures, in order to be submitted to a Convention of Delegates chosen in each State by the people thereof, in conformity to the resolves of the Convention, made and provided in that case." Therefore

Resolved, as the sense of the Legislature, that the said report, with the said resolutions, and letter accompanying the same, be submitted to a Convention of Delegates to be chosen by the people of this State—that it be recommended to the people of this State, to choose by ballot, Delegates to meet in Convention for the purpose aforesaid—that the number of Delegates to be elected, be the same as the number of members of Assembly from the respective cities and counties—that all free male citizens of the age of twenty-one years, and upwards, be admitted to vote, and that any person of that description be eligible—that the election be held on the last Tuesday in April next, at the same respective places where the elections for members of Assembly shall be held, and be continued by adjournment from day to day until the same shall be completed, not exceeding five days—that the inspectors who shall inspect the election for members of Assembly, be also inspectors of the election for Delegates—that the inspectors do also appoint two clerks, each of whom shall keep a poll list of the electors for Delegates—that the inspectors do provide a box to receive the ballots for Delegates—that the poll books or lists shall after due examination and correction, be signed by the inspectors attending at the closing of the poll, and the clerks who shall have kept the same poll-books respectively, and then the box containing the ballots for Delegates, shall be opened, and the ballots therein contained, taken out, and without being inspected, shall, together with the poll-books or lists for Delegates, be immediately put up under cover and enclosed, and the enclosure bound with tape, and sealed in such manner as to prevent its being opened without discovery; and the inspectors present at the closing of the poll, shall then put their seals, and write their names upon the same enclosure, and one of the inspectors then present, to be appointed by a majority of them, shall deliver the same enclosure, so sealed up as aforesaid, to the clerk of the County, without delay, who shall carefully preserve and keep the same unbroken and unopened, until the meeting of the persons who are to canvass and estimate the ballots therein contained, when he shall deliver the same enclosure unbroken and unopened to them—that the persons authorized by law to canvass and estimate the votes for members of Assembly, do also immediately after they shall have canvassed and estimated the votes to be taken at the elections to be held on the last Tuesday in April next, for members of Assembly, proceed to open the said enclosures containing the ballots for Delegates, and canvass and estimate the votes taken for Delegates, and when and as soon as they shall be able to determine upon such canvass or estimate, who by the greatest number of votes shall have been chosen for Delegates for the city or county, they shall determine the same, and thereupon without delay, make and subscribe with their own proper names and hand writing, the requisite number of certificates of such determination, and cause one to be delivered to each of the persons so elected a Delegate, and that the said election and canvass, shall in every other respect not herein provided for, be conducted in like manner as is provided for by law, for holding elections for members of Assembly—that the Delegates so to be chosen, do meet in Convention at the Court-house in Poughkeepsie in the county of Dutchess, on the third Tuesday of June next—that the clerks of the Senate and Assembly, do forthwith after the Convention shall have assembled, deliver to them copies of the said report, and of the letter and resolutions which accompanied the same, to Congress, and of the said resolution of Congress—that the Delegates be allowed the same wages as the members of Assembly, and that it will be proper for the Legislature, at their next meeting, to provide for the payment thereof.

In Assembly, February 1st, 1788.

A copy of a resolution of the Honorable the Senate, delivered by Mr. Duane, was read, purporting that the Senate do concur with this House, in their resolution of yesterday, relative to a Convention to be chosen within this State by the people thereof, for the purposes in the said resolution mentioned.

An Extract from the Minutes,

~~JOHN MCKESSEN, CLERK~~

1. This signed broadside is in the John McKessen Papers at the New-York Historical Society.

161. Hugh Hughes's Draft of "A Countryman" VI, that appeared in the New York Journal, 14 February 1788.¹

6th

I. S. July 29th. 1788

Dear Sir

~~The P. M. which you sent me, I have read, and I greatly esteem it, and I am glad to see you have taken so much pains to improve it, and I am sure it will be of great use to the public.~~

~~I am not sensible to the whole of the Federal Farmer, yet, I think he has great Merit, and well deserves the Thanks of his Country.~~ ^{But I mistake not, he seems to lay rather too much stress on Mr. Pope's Maxim, which is, that}

~~That which is best administered, is best.~~ ^{With the greatest Deference for their good Sense, I beg leave to ask, whether this Maxim will not militate as much, for the worst Form of Government, as for the Best?— From the Candour which every where appears in his Letters, I must presume on his answering this Question, if inforced at all, in the Affirmative. Should I, in this be wrong, I will as readily acknowledge the Error, as ask the Question. And, if so, what Matter whether the Form of Government be good or bad, if it be but well administered? Besides, if Mr. Pope's Mode of Reasoning be just, why find you Fault with the New Constitution, before it is put to the Test; for, who can tell, before it is administered, but it may, according to the Poetic Logic, be the Best?— Does it not hence clearly appear to you how dangerous it is, to adopt the Opinion or Sentiments of any Man, or Number of Men, without thoroughly canvassing the Principles and considering the Consequences?—}

~~Perhaps to a Theocracy or Divine Government; that is, a Government instituted and administered by the immediate Interposition of the Almighty, against the Poet's Maxim may, with more Consistency, be applied, in which, whatever is of divine Institution or Administration, is best.~~ ^{But, I believe it is not pretended by any Body, or, if it be, that it is by the Mad Doctr. in Political Opinions that the N. Const. is of divine Deference. Why then adopt that which may lead to Error as well as Truth?—}

~~As the Letter written appears to be a Gentleman of true Philanthropy, as well as a clear & comprehensive Understanding, I am bound to believe, that it is something, which, from much Applause become very familiar to him, and that he did not at the Time attend to all the Consequences. Neither is this any thing uncommon or peculiar to him; and I believe almost every Person may, in some Country or other of the World, be guilty of the same Error, or, at least, be liable to it, as well as temporal Consequences.~~

1. MS, Hughes Papers, DLC.

I have observed ^{several} of these ~~spurious~~
Extracts, Paragraphs &c. in the
papers of late; but, as they were either
anonymous or the characters not of
much consequence, I thought them
not worth ~~the notice~~ ^{of} noticing —

In this, I am impelled by
Duty —

[Faint, mostly illegible handwritten text continues on the right side of the page.]

180. Hugh Hughes's Draft of "Expositor" II, that appeared in the New York Journal, 28 February 1788.¹

More Exposition &c.—
 "Article 1st. Sect. 2. and Clause
 4th.— When Vacancies happen in the
 Representation from any State, the Execu-
 tive thereof shall issue Writts of Election to fill
 such Vacancies." ²²³
 by this Clause as if a State had been in-
 tended for some body, but by an unhappy in-
 terpretation, which clearly appears from the
 History of the Proceedings, that the Executive thereof may
 be understood to mean the Legislature, & not the
 Executive, as well as the State. This is a
 Construction to fill such Vacancies, which not
 only may, but will scarcely bear any other
 than that such Vacancies are to be filled
 with those "Writts of Election" in
 proper Persons. To anticipate the
 objection, which, it is hoped,
 may supply the Deficiency, and in this
 the Executive of the State in which the
 Vacancy happens, authorizes
 the Writts of Election, authorizes
 to be properly or legally chosen for filling such
 Vacancies, as well as the
 Executive thereof.

Clause 5th.
 "The House of Representatives shall choose
 their Speaker and other Officers; and shall have
 the sole Power of Impeachments."
 The House shall choose its Speaker & other Officers of
 the House, & shall have the sole Power of Impeachments.
 This seems pretty well defined; but the Power of Impeachments
 may be confined to exclude all other Impeachments
 by any of the State Legislatures, which is the
 sense in which it should be understood. May it not
 produce a Power of Impeachment in
 the Legislature of the State?
 "Section 3rd.— Clause 1st.
 "The Senate of the United States shall
 be composed of two Senators from each State,
 chosen by the Legislature thereof, for 6 Years; and
 each Senator shall have one Vote."
 Besides this apparent Objection, which here
 exhibits, there are several very important ones
 involved in this Clause. To wit— The
 Objection is, that the Senate is to be chosen by the
 Legislature of the State, & not by the People.
 To which may be added the Objection, that the
 Senate is to be chosen by the Legislature of the State,
 & not by the People. The Senate is to be chosen
 by the Legislature of the State, & not by the People.
 The Senate is to be chosen by the Legislature of the State,
 & not by the People. The Senate is to be chosen
 by the Legislature of the State, & not by the People.

1. MS, Hughes Papers, DLC.

...shall be a fourth in figure
 ...shall be divided as equally as may be
 ...of the first shall be counted
 ...of the 2nd Year, of the 2nd Class at the 2nd
 ...of the 3rd Class at the 2nd Year of the 2nd
 ...of the 4th Class at the 2nd Year of the 2nd
 ...of the 5th Class at the 2nd Year of the 2nd
 ...of the 6th Class at the 2nd Year of the 2nd
 ...of the 7th Class at the 2nd Year of the 2nd
 ...of the 8th Class at the 2nd Year of the 2nd
 ...of the 9th Class at the 2nd Year of the 2nd
 ...of the 10th Class at the 2nd Year of the 2nd

...made
 ...the Expositor on the 24th of June
 ...the subject of some of the
 ...of others as well as the
 ...to what a height they raise
 ...to just and equal Liberty
 ...of the one from
 ...and all other antient Abolition
 ...the same hour and then
 ...of the Mountains
 ...to their own Description of its Authors separate

Clause 3rd.

No Person shall be a Senator who shall not have at
 least the Age of 30 Years, and been nine Year a Citizen of
 the U. S. who shall not, when elected, be an Inhabitant
 of that for which he shall be chosen. It is objected
 that the same Description which was applied to the 2nd Clause of the 2
 Section will also apply here - However,
 It is objected that the same Description which was applied to the 2nd Clause of the 2
 Section will also apply here - However,
 It is objected that the same Description which was applied to the 2nd Clause of the 2
 Section will also apply here - However,

One not usual of the Effects of the Age or wisdom
 with the Office or Duty of a good Legislator, as some of the
 Levities or Sallies of Youth?

Clause 4th.

The Vice-president of the U. S. shall be President of
 the Senate, but shall have no Vote, unless they be equally
 divided. He, if he had never been impeached, he would not
 have been made President for the 2nd Year of the 2nd
 Section will also apply here - However,
 It is objected that the same Description which was applied to the 2nd Clause of the 2
 Section will also apply here - However,

...will not first declare, as in Clause the 10th of the first Article, that the
 ...of the 2nd Clause of the 2nd Section will also apply here - However,

Clause 5th.

The Senate shall choose their other officers, and also
 a President pro tempore, in the Absence of the Vice-president
 or when he shall exercise the Office of President of the U. S. It
 is objected that the same Description which was applied to the 2nd Clause of the 2
 Section will also apply here - However,
 It is objected that the same Description which was applied to the 2nd Clause of the 2
 Section will also apply here - However,

...the best entitled to it, or when
 ...of the 2nd Clause of the 2nd Section will also apply here - However,
 It is objected that the same Description which was applied to the 2nd Clause of the 2
 Section will also apply here - However,

Clause 4th

"The Senate shall have the sole Power to try all Im-
peachments. When sitting for that Purpose they shall
be on Oath or Affirmation. When the President of the U.S.
is tried, the Chief Justice shall preside & no Person shall
be convicted without the Concurrence of 2/3. of the Mem-
bers present."

On the 1st of the 17th or 18th, Mr. Nicolson put the
following Question - "Is it meant that the several States
shall be restrained from trying their own Officers
impeached for Mal Administration?" On the 17th of the
17th of the 17th, a Mr. [unclear] said, "What
are they to swear or affirm?" But, on the 18th, when the
President of the U.S. is tried, the Chief Justice shall pre-
side: he is factually and justly inquired - "Is it
meant at the Senate or in the U.S.?" That the
Chief Justice is to preside, for, it is not, by that Part
of the Constitution, said which his Presidency is to be
place. And it is of more consequence to screen
the Officers of the new Government, than to protect the People who
must support them and the Govt. - If I may be permitted, I
will answer this in the Affirmative, for some Part of
the Constitution of the U.S. is to be, in support of the
Resolution, it is there said - "In all other Cases before
mentioned -" that is, all mentioned in the two preceding Clauses, which shall be
of course of course, which the People can be concerned. The new
Government shall have appellate Jurisdiction, both as to Law
and Fact - Now, either the Chief Justice, or the Judges of
the Court, which will or may be, in support of more than one Part of
3 or 2, or more, of not more than one Part, will be, as
more equitable or just than those of the Senate, or
of which three must be, 3/4 of the whole, which are, of
a full majority, reject of fractional Number, or
Removal from Office by a single Voice, may be, as
a Lawyer, a Mechanick, or a Shoemaker, &c. to
perform a certain or inevitable Business?

That it is of much more consequence to screen
Officers, than to protect the People, by an fair, and
equal trial, of their Officers, is the
understandable to the People, & for which the
able can be heard, & heard, & heard, & heard,
with it, of course, have
regarding the People, subject of Reflection
to the Government must it ever be to the
People all but those in Administration
have?

Privilege of a Juror; that is to anticipate,

and yet that one
for the People - the sole Judge of Law and Fact

Gracious! Alford how evd. they desire of
have revolted at such partiality as the
along those who, whilst invested with Sovereignty,
out of thy more more flaming, for the sake of
making distributions of Justice to thy Subjects & their
inflicts the Sins of the Kings of the Kingdom, who
a long shaft to the Madmen & the
Christians! - Pray be to the
not for off, which are enough to disturb thy

4
 Clause 7th.
 "Judgment in Cases of Impeachment shall not extend further than to Removal from Office; and disqualification to hold and enjoy any Office of Honor Trust or Profit under the U.S.; but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment according to Law."
 The Congress, I think, is the necessary, but when is the Law? why, whether the latter affirmation of the Vice-president is not known, and when it is, if they may judge from what we see, will be a subject to catch the title. Let's let the large go through.

Sect. 4th. Clause 1th

"The Times, Places, and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but Congress may, at any Time, by Law, make, or alter such Regulations, except as to the Places of choosing Senators."

"Here" says the Author of An Examination into the leading Principles of the Federal Constitution

Let us pause — What did the Convention mean by giving Congress Power to make Regulations, prescribed by the Legislatures? Is this expression accurate or intelligible? Which may be enforced in the Negative; that as it is either accurate or intelligible — For how can Congress make such Regulations as are prescribed by the Legislatures, unless it meant that Congress may make such others, which wd. be very curious indeed?

"But" continues the same Writing "The Word shall is very intelligible, and the clause puts the Election of Representatives wholly, and the Senators almost wholly in the Power of Congress." "But the Clause in States gives no Creation for any Power in Congress to interfere with the Power of their own Body." "But the Clause in States gives no Creation of dangerous Powers — I hope the States will reject it in the Survey, and adopt the whole System without altering it." "I shall be glad to see the States reject it."

"The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day?" "What if the Legislature should prevent such Meeting?"

which may require the concurrence of the Senate to give force to the proposed Constitution into a Confirmation and obliged him
 The reasoning of the Author of An Examination into the leading Principles of the Federal Constitution is to cause Judgment against it, and that which the Congress might have thought a necessary measure, or they wd. scarcely have made such a change in the Constitution at all. It seems as if nothing produced the Constitution but the Senators being chosen by the Legislatures, and if it were thought would hardly conform to the Constitution. Should it be Congress might direct to you Federalists, as you call your false complian of it as not containing sufficient Power? Perhaps, if it had not contained such, they might have caused as solemn a Declaration as this had in the Examination of it.

189. New York Journal, 7 March 1788.

New-York, March 7.

THE Albany Gazette of February 27, contains the following:—A publication in the Federal Herald under the signature of *A Citizen*, having for some days attracted the notice of the public by its extreme virulence and singular scurrility, Mr. John Lansing, jun. who was one of the subjects of its animadversions, requested the printers to discover the author, and was by them informed, that it was Mr. GEORGE METCALF, a young Englishman, who has resided during great part of the late war in Canada, and for some time in this city.

However unfortunately a difference in sentiment on a great national question, may agitate and divide the people of this state, Mr. Lansing trusts that the good sense of his fellow citizens will readily distinguish between a manly discussion of political subjects, and the vile arts of private traduction.

Mr. Lansing has given directions to institute a prosecution against Mr. Metcalf, which will afford him an opportunity of giving any instances of Mr. Lansing's depravity, in his justification in evidence. If Mr. Metcalf cannot do this, he may at least, on some future occasion, be taught a proper discrimination between a wanted excursion into the flowery fields of invention and a strict adherence to truth.

On the Saturday following, remarks upon the above, were inserted in the Albany Journal.

Messrs. Printers,

HAVING read a paragraph in the last Albany Gazette, which Mr. Webster informed me, was written by John Lansing, Jun. Esq. setting forth that I am the author of a publication in the Federal Herald, under the signature of A Citizen, that I am an Englishman, and resided during great part of the late war in Canada, and for some time in this city. I am, in justice to myself, obliged to add a few additional facts, to take off that impression which this publication must evidently tend to make on the public; that I am a foreigner and an alien, and consequently unentitled to the privileges of a citizen, or to make any strictures upon the administration of government—I acknowledge myself an Englishman by birth, a circumstance I am rather proud than ashamed of, it has not been unusual for Englishmen to be warm for the welfare of America, and with the foremost in its cause. But that I am a citizen of America is an incontrovertible fact; under a law of this state I claim that privilege—from the Journals of the assembly, this fact may be ascertained, and also, from the records of the mayor's court of the city of Albany, where I have since taken the oaths of allegiance and abjuration. That I have been an inhabitant of this state upwards of four years, is also a well known fact. But, I presume Mr. Lansing was unacquainted with these facts, or he, otherwise, would not have placed them in so partial a point of view.

Mr. Lansing, I think, cannot be ignorant that my father and family (except myself) have resided in this state upwards of twenty years, with respectability and esteem; and, have ever been known to have had a sincere attachment to the cause of America; and for that attachment to have sustained the loss of a great deal of property, besides much distress and severity; and, that the family was detained in Canada, by order of the British governor, till the peace; and that my residence there for two years, was in consequence of that circumstance, and the impracticability of a communication, rendered wholly involuntary.

I know not what Mr. Lansing means by the vile arts of traduction or the flowery fields of invention. I am conscious of having trod on no other ground than the plain road of patriotism, impartiality and truth. But I am perfectly satisfied with the tribunal to which Mr. Lansing has made an appeal, sensible that every necessary investigation will be made, and a fair and impartial decision given.

I am, &c.

G. METCALF.

204 (1). Albany Gazette, 27 March 1788.

For the ALBANY GAZETTE.

Mr. Printer,

WHEN superficial observers, and designing persons, arrogate to themselves the worthy appellation of good reasoners, and patriotic statesmen, and blindly endeavor to stifle the attempts of those who are well wishers to their country, it is then time that every man, with the smallest pretensions to honor or honesty, should resolutely interpose, lest the cause of real virtue and the public good should fall a sacrifice to the manes of diogenian falsehood.

That names assumed merely for a temporary distinction, should draw along with them any singular degree of merit, or when destitute of that merit, should brand those who assume them, with the epithet of arrogant; are propositions, demonstrable only by those who have not hesitated to demonstrate

sense, and down-
with such nothing is

ceded their powers,
proceed to proof?

probendi lays upon
ion, and a reasona-
e adoption of the

and ought to be a
favor. That ma-

rs Convention, who
ion of the constitu-

a fact that has al-
and which, I be-

but were it not
n Mr. Observer to

his doubts arose, or
sh would have in-

CONNELLY

CONNELLY

That the States which have adopted the Constitution, had little time to consider the question as an assertion that cannot be supported on any grounds of probability: The matter most probably was, agitated in every man's mind much longer than the period I have mentioned. And as to four months being a reasonable time for the purpose, I will maintain, that if it had not to encounter many impositions and hardships, it would be a reasonable time for any other question.

The proceedings at the New-Hampshire Convention, and the cause that produced them, they adopted, are well known to the public and will not require from me, as to those who require a strict proof necessary in a court of justice, a great deal of time, but want of proper information, it being a country chiefly inland, and the inhabitants, under the influence of demagogues, professedly opposed to the Constitution, brought about their dislike, and positive rejection of it.

On the whole, Mr. Printer, I desire to see the public will, every insinuation that tends to wound our ideas on this important subject, the public will despise every man who attempts to disparage the Constitution, whom I presume, it is his duty to send to Convention, and to be rewarded and embellished in the

204 (2). Albany Gazette, 27 March 1788.

For the ALBANY GAZETTE.

REMARKS for the benefit of *Honestus*, who appeared in the last *Federal Herald*.

NESTUS, there are some traits in your character, which, if they stood single and not with the very dark shades which blemish it induce a presumption that you really are *you pretend to be*—but the man, who with attention, scans the whole, will soon discover this appearance of candour is solely the effect of that inconsistency, which is ever attendant on double dealing.

Never a truth can be singled out from a profusion of falsehoods as yours, it ought to be particularly attended to, and be taken in a distinguished point of view.—The great crisis of the Anti federalists is at last brought to light—it is exposed in the broad face of the world—hide your diminished heads, ye *Anti federal* for all your wiley measures are at last unmasked, your plots are unmasked and the first object of your pursuit is now known, and may be frustrated.—*Honestus* has discovered, “*that the principal object has long been to destroy all establishments, and to destroy the extensive interest of the landed gentry, thereby to clear the way for honors and to your posterity.*” This then is the cause of the Anti-federalists—they wish to destroy the operation of entailments which may perpetuate both wealth and influence in one family, and enable the speculators to cheat their honest creditors—they wish to destroy the extensive interest of great landlords, that the common people of this state may have a fair opportunity of enjoying the honor and distinction of the government, if their merit entitles them to that distinction.—But it is not the intention of these men, who hold large landed estates, to admit the people in general to a participation of the honors and profits; they must be placed in an elevated situation, above the reach of their fellow citizens; and as they have the largest share of property they must also have the choice of offices in the first instance, and the distribution of those they do not chuse to retain, that their extensive interest may ripen into the work of all possible dispositions, of an aristocracy.

The public had almost forgot the 3575 dollars they had almost forgot, the little trick by which a member of a loan-officer was persuaded, by a member of the board of treasury, to state that some demand for his services—they had almost forgot the singular seat of the board of treasury to prevent imposition on the United States in their reported report on that subject—but it is the misfortune of the Federalists, to be reminding the public of circumstances which they ought to be cautious to conceal from every eye.—The public, however, remain still to be informed, that the accounts of more than one of those veterans, who valiantly fought under the banners of speculation and corruption, who by their great and noble attainments, had almost effected the ruin of the United States, and who are now among the first to promote the Federal cause, are still unsettled, or settled, such settlement was obtained by those means of corruption, which from a view of their consequences in the nation from which we have separated, we had been justly led to hold in the utmost abhorrence; and the public will remain to be informed, that the only hope of impunity for those veterans is, by the establishment of a government, in which every former transaction is to receive the sanction of perpetual silence.

Some of these facts, if any Federalist shall be so hardy as to doubt, can be fully proved, for the others, the proceedings of the commissioners for settling the accounts of the commissaries and quartermasters in this state, are confidently appealed to, by

V I N D E X.

321. John Jay to George Washington, New York, 29 May 1788.¹

29 May 1788

John

was ^{fav?} with yours of the 15th Instant
~~and no days ago the reasons of security given~~
the improbability of

It gives me Pleasure to find that, ^{rather measures.} ~~virtuous~~ ^{undoubtedly} adopting the
proposed Constitution, ^{undoubtedly} such an event would, disarm the opposition - It

appears by recent advices from Charleston that we may count
on South Carolina; ^{and the New Hampshire Delegates assure me that their}
State will ^{come into the measure} ~~bring a large number of its members~~ ^{especially} - There is ^{much} great

Reason to believe that the Majority of the Convention of this State
will be ~~out of~~ composed of anti-federal Characters. It is to be

wished that ^{their} Election had ^{been} a little longer delayed; for
the Constitution ^{continues} daily gains ground & ^{daily} very improper means have
been used to deceive and ~~alarm~~ ^{excite} the People, and with very
considerable Success ^{but is constantly increasing} ~~Truth~~ ^{and will} prevail, ~~and~~

~~but~~ ^{the} ~~already~~ ^{has} ~~been~~ ^{approved} of men who express much Indignation
at the misrepresentation by which they were led into Opposition.
~~Such~~ ^{cannot} ~~doing~~ ^{is} ~~seldom~~ ^{well}, ~~and~~ ^{we} ~~will~~ ^{not} ~~lose~~ ^{those} ~~who~~ ^{practise}

but ~~it~~ ^{is} ~~somewhat~~ ^{doubtful} whether the leaders will be able to
govern the Party - ^{many in the opposition} ~~Some~~ ^{of these} are friends to Union & mean well
but there ^{are} ~~are~~ ^{principal} ~~leaders~~ ^{at} ~~their~~ ^{heads} who ~~are~~ ^{confuse} ~~their~~ ^{views}
~~to~~ ^{the} ~~State~~ ^{and} ~~are~~ ^{very} ~~little~~ ^{solicitous} ~~at~~ ^{about} ~~the~~ ^{Union} - ~~They~~ ^{will} ~~endeavour~~ ^{to} ~~reject~~ ^{the} ~~Constitution~~ ^{with} ~~as~~ ^{much} ~~speed~~ ^{as} ~~may~~ ^{be}
~~little~~ ^{debate} ~~is~~ ^{possible} ~~but~~ ^{it} ~~is~~ ^{far} ~~from~~ ^{certain} ~~that~~ ^{the} ~~greater~~ ^{part} ~~of~~ ^{the} ~~Party~~
~~will~~ ^{not} ~~be~~ ^{influenced} ~~by~~ ^{similar} ~~views~~ ^{and} ~~will~~ ^{plunge} ~~into~~ ^{secession}
~~and~~ ^{measures} ~~will~~ ^{be} ~~equally~~ ^{divided}, ~~or~~ ^{rather} ~~equally~~ ^{desperate}.

an Idea has taken an that the Southern part of the State
will at all events adhere to the Union, ^{of} ~~it~~ ^{is} ~~not~~ ^{likely} ~~to~~ ^{be} ~~separated~~ ^{from}
from the northern - This Idea ~~is~~ ^{not} ~~without~~ ^{its} ~~influence~~

↓
 on the face of the Party. I cannot ~~not~~ find that they
 have as yet so looked forward to contingent events
 or ~~would~~ ^{more the most} ~~probable~~ ^{probable}
 as to have ~~possessed~~ ~~enriched~~ in or even formed any
 System adapted to them — the fault is that few of
~~assuming~~ ~~them~~ are remarkable for Talents, ~~and~~
~~have~~ ~~few~~ ~~there~~ ~~men~~ ~~may~~ ~~perhaps~~ ~~occasionally~~ ~~enrich~~
~~and~~ ~~trouble~~, but

with perfect Respect please I am

Y^r aff^{le} phile Serv^t

John Jay

[Faint, mostly illegible handwritten text, possibly bleed-through from the reverse side of the page.]

In addition to the pamphlets you mentioned
I enclose one on the other side of the sheet

To Gen. Washington
29 May 1788
in an^r to 15 Sealant
M: 84

373-A. North Carolina Wilmington Centinel, 25 June 1788.

The following is a statement of the votes for members of the convention of the state of New-York, for the following counties :—

			Votes.
Columbia,	3 members.	Anti-federal ticket.	5561
		Federal ditto.	4073

Montgomery,	6 members.	Anti-federal majority,	1488
		Anti-federal ticket.	6422
		Federal ditto.	4777

Albany,	8 members.	Anti-federal majority,	1645
		Anti-federal ticket.	31,090
		Federal ditto.	11,308

Ulster,	6 members (including his excellency governor Clinton, who had alone 1372 votes)	Anti-federal majority,	19,782
		Anti-federal ticket.	15140
		Federal ditto.	182
		Anti-federal majority	14,958
Dutchess,	7 members—all anti-federal.		
Orange,	4 ditto	ditto.	
Queen's,	4 ditto	ditto.	
Suffolk,	ditto	ditto.	
City & County	ditto	ditto.	
of N. York,	ditto	ditto.	
West Chester,	ditto	ditto.	
Richmond,	ditto	sentiments unknown.	
King's,	ditto	federal.	

373-B. North Carolina Wilmington Centinel, 2 July 1788.

The statement of votes for members of the convention of the state of New-York, which we published in our last, appears to be materially erroneous.—It was sent to us by an anonymous correspondent. At that time we doubted not of its authenticity—but, upon more minute examination, we find, that it ought to have stood thus:—

COLUMBIA COUNTY.

Anti-federal ticket.

Peter Van Nefs, 1848
 Matthew Adgate, 1850
 John Bay, 1863

Federal ticket.

Peter Van Schaick, 1483
 Henry Livingston, 1498
 Jacob Ford, 1482

MONTGOMERY COUNTY.

Anti-federal ticket.

William Harper, 1206
 John Frey, 1301
 John Winne, 1202
 Volkert Veeder, 1199
 Henry Straing, 1105
 Christopher P. Yates, 1209

Federal ticket.

Abraham Van Horne, 756
 James Livingston, 811
 Abraham Arendt, 796
 Peter Schuyler, 803
 Josiah Crane, 805
 A. Van Vechten, 806

ALBANY COUNTY.

Anti-federal ticket.

Robert Yates, 4670
 John Lansing, 4681
 Henry Oothoudt, 4678
 Peter Vrooman, 4671
 Abraham Ten Eyck, 4657
 Dirck Swart, 4673
 Israel Thomson, 4666

Federal ticket.

Abraham Ten Broeck, 2627
 Jacob Cuyler, 2620
 Francis Nicoll, 2617
 P. Gansevoort, jun., 2621
 Jerom. Hoagland, 2613
 James Gordon, 2617
 John. W. Schamehorn, 2610

DUTCHESS COUNTY.

Anti-federal.

Zephaniah Platt,
 Meiraston Smith,
 Jacobus Swartwout,
 John De Witt,
 Gilbert Livingston,
 Ezra Thomson,
 Jonathan Akins.

ULSTER COUNTY.

Anti-federal.

His Excellency Governor Clinton, 1372
 John Cantine, 1339
 Cornelius C. Schoonmaker, 1045

Ebenezer Clark, 1356
 James Clinton, 905
 Dirck Wynkoop, 1055

Federal, unsuccessful.

Johannes Bruyn, 68
 Jacobus S. Bruyn, 35
 Cornelius T. Jensen, 29

ORANGE COUNTY.

Anti-federal.

Jesse Woodhull,
 Henry Wisner, sen.
 John Haring,
 John Wood.

QUEEN'S COUNTY.

Anti-federal.

Samuel Jones,
 John Schenck,
 Nathaniel Lawrence,
 Stephen Carman.

SUFFOLK COUNTY.

Anti-federal.

Thomas Treadwell,
 Jonathan N. Havens,
 John Smith,
 David Hedge,
 Henry Scudder.

For the CITY and COUNTY of NEW-YORK.

Federal ticket.

John Jay, 2735
 Richard Morris, 2716
 John Sloss Hobart, 2713
 Alexander Hamilton, 2713
 Robert R. Livingston, 2713
 Isaac Roosevelt, 2701
 James Duane, 2680
 Richard Harrison, 2677
 Nicholas Low, 2651

WEST-CHESTER COUNTY.

Federal.

Lewis Morris,
 Philip R. Livingston,
 L. W. Sarls,
 Richard Hatfield,
 Thaddeus Crane,
 Philip V. Cortlandt.

RICHMOND COUNTY. — Sentiments unknown.

Abraham Bancker,
 Cozen Ryerfs.

KING'S COUNTY.

Federal.

Peter Lefferts. Peter Vandevooort.

We have not received a particular return of the members of convention for Washington county (which completes the returns for the state) but it is confidently said, the anti-federal ticket will be carried at least two to one on the whole number of votes. Washington county sends four members.

We would beg leave to observe, that the number of votes for members of convention, not being inserted for some of the counties, arises from our not having received such particular returns as from the other counties.

The above is extracted from the New-York DAILY PATRIOTIC REGISTER, printed the 5th ult. by Mr. Thomas Greenleaf.

392. Supplement to the New York Independent Journal, 2 July 1788.

S U P P L E M E N T

T O T H E

Independent Journal,

New-York, July 2, 1788.

In our Independent Journal of this Morning, we announced the Ratification of the New Constitution by the Convention of Virginia: For the gratification of our Readers, we publish the following particulars, received by this day's post:—

Ratification of the New Constitution, by the Convention of Virginia, on Wednesday last, by a Majority of 10:--88 for it, 78 against it.

WE the delegates of the people of Virginia, duly elected, in pursuance of a recommendation of the General Assembly, and now met in Convention, having fully and fairly investigated and discussed the proceedings of the Federal Convention, and being prepared as well as the most mature deliberation will enable us to decide thereon, DO, in the name and on behalf of the people of Virginia, declare and make known, that the powers granted under the Constitution being derived from the people of the United States, may be resumed

With these impressions, with a solemn appeal to the searcher of hearts for the purity of our intentions, and under the conviction, that whatsoever imperfections may exist in the Constitution, ought rather to be examined in the mode prescribed therein, than to bring the UNION into danger by a delay, with a hope of obtaining amendments previous to the ratification:

We the said delegates, in the name and in behalf of the people of Virginia, do by these presents assent to and ratify the Constitution, recommended on

by them whensoever the same shall be perverted to their injury or oppression, and that every power not granted thereby, remains with them, and at their will: That therefore no right, of any denomination, can be cancelled, abridged, restrained or modified by the Congress, by the Senate, or House of Representatives, acting in any capacity, by the President, or any department or officer of the United States, except in those instances where power is given by the Constitution for those purposes: That among other essential rights, the liberty of conscience, and of the press, cannot be cancelled, abridged, restrained or modified by any authority of the United States.

the 17th day of September, 1787, by the Federal Convention, for the government of the United States; hereby announcing to all those whom it may concern, that the said Constitution is binding upon the said people, according to an authentic copy hereto annexed, in the words following:—

[Here followed a copy of the Constitution.]

A letter from Richmond advises, “that a motion for previous amendments was rejected by a majority of EIGHT; but that some days would be passed in considering subsequent amendments, and these, it appeared, from the temper of the Convention, would be RECOMMENDED.”

393. Broadside Printed by Nicholas Power, Poughkeepsie, 2 July 1788.

P O G H K E E P S I E

July 2d, 1788.

J U S T A R R I V E D
B Y E X P R E S S,

The Ratification of the New Constitution by the Convention of the State of Virginia, on Wednesday the 25th June, by a majority of 10 ; 88 agreeing, and 78 dissenting to its adoption.

WE the Delegates of the People of Virginia, duly elected in Pursuance of a Recommendation of the General Assembly; and now met in Convention, having fully and fairly investigated and discussed the Proceedings of the Federal Convention, and being prepared as well as the most mature Deliberation will enable us to decide thereon, DO, in the Name and on Behalf of the People of Virginia, declare and make known, that the Powers granted under the Constitution being derived from the People of the United States, may be refused by them whatsoever the same shall be perverted to their Injury or Oppression, and that every Power not granted thereby remains with them and at their Will: That therefore no Right, of any Denomination, can be cancelled, abridged, restrained or modified by the Congress, by the Senate, or House of Representatives, acting in any Capacity, by the President, or any Department or Officer of the United States, except in those instances where Power is given by the Constitution for those Purposes: That among other essential Rights, the Liberty of Conscience, and of the Press, cannot be cancelled, abridged, restrained or modified by any Authority of the United States:

With these Impressions, with a solemn Appeal to the Searcher of Hearts for the Purity of our Intentions, and under the Conviction, that whatsoever Imperfections may exist in the Constitution, ought rather to be examined in the Mode prescribed therein, than to bring the Union into Danger by Delay, with a Hope of obtaining Amendments previous to the Ratification!

We the said Delegates, in the Name and in Behalf of the People of Virginia, do by these presents assent to and ratify the Constitution, recommended on the 17th day of September, 1787, by the Federal Convention for the Government of the United States; hereby announcing to all those whom it may concern, that the said Constitution is binding upon the said People, according to an authentic copy hereunto annexed, in the Words following:—

[Here comes in the Constitution.]

A Letter from Richmond advises; that a Motion for previous Amendments was rejected by a Majority of Eight; but that some days would be passed in considering subsequent Amendments, and these, it appeared, from the temper of the Convention, would be recommended,

449G. Order of Procession BroadSides.

Order of Proceffion, In Honor of the Constitution of the United States.

AT eight o'Clock on Wednesday Morning the 23d of July, 10 Guns will fire, when the PROCESSION will parade and proceed by the following Route, viz: Down Broad-Way to Great-Dock-Street, thence through Hanover-Square, Queen, Chatham, Division, and Arundel-Streets; and from thence through Bullock-Street to Bayard's-House.

- No. 1. 2 Horfemen with Trumpets.
2. 1 piece of Artillery.

First Division

No. 12 13 14 15 16 17 18 19

A Band of Music.
Taylors.
Meafurers of Grain.
Millers.
Infpectors of Flour.
Bakers.
Brewers.
Distillers.

No. 12 13 14 15 16 17 18 19

Major Blewhe
Station in 25 of the
Company

No. 3 4 5 6 7 8 9 10 11

4 Forefters in Frocks, carrying Axes.
Columbus in his Ancient Dress—on Horfeback.
6 Forefters, &c.
A Plough.
A Sower.
A Harrow.
Farmers.
United States Arms, borne by Col. White.
Gardners, (Col. White's Garden)

<i>Begin</i>		D	I	V	I	S	I	O	N	
52	Cartmen.									
53	Mathematical Instrument-Makers.									
54	Carvers and Engravers.									
55	Coach-Makers.									
56	Coach-Painters.									
57	Copper-Smiths and Brass-Founders.									
58	Tin-plate Workers.									
59	Pewterers.									
60	Gold and Silver-Smiths.									
61	Potters.									
62	Chocolate-Makers.									
63	Tobacco-smiffs.									
64	Dyers.									
65	Brush-Makers.									
66	Tallow-Chandlers.									
67	Saddlers, Harnes and Whip-Makers.									
		D	I	V	I	S	I	O	N	
68	Gentlemen of the Bar.									
69	Philological Society.									
70	President and Students of the College.									
71	Merchants and Traders.									
		D	I	V	I	S	I	O	N	
72	Physicians.									
73	Strangers.									
74	Militia Officers.									
75										
76	1 piece of Artillery.									

Mc Don
Leary

Cap King

Cap Butler

Begin with Cartmen
75-

By Order of the Committee of Arrangements,
RICHARD PLATT, Chairman.

513. Springfield, Mass., Hampshire Chronicle, 6 August 1788.



580. Israel Thompson: Travel Voucher, 27 February and 18 May 1789.¹

1789.

THE STATE OF NEW-YORK,

To *Israel Thompson* Dr.

FOR Attendance as a Delegate in Convention at Poughkeepsie, as a Member from *Albany* County, between the seventeenth Day of June 1788, and the twenty-sixth Day of July following, including *seven* travelling Days is *forty two* Days, at *12/-* per Day.

£. 25^{..} 4^{..}

I CERTIFY the above Account at the Sum of *Twenty five Pounds* *four shillings* *7/-* 1789

John Lansing

Received *May 18th 1789* of Gerard Bancker, Esq. Treasurer of this State, the above Sum of *Twenty five Pounds four shillings* in full of this Account. for *Israel Thompson*

£. 25^{..} 4^{..}

John Lansing Junr.

40 27

1. MS, Accession No. 4027, New York State Library.

No. 6181. Israel Thompson.

£ 25. 4

th
May 18. 1789,

50

581. Lewis Morris: Payment for Expenses as Delegates to the, New York Convention, 3 March 1789.¹

1789.

THE STATE OF NEW-YORK,

To *Lewis Morris* Dr.

FOR Attendance as a Delegate in Convention at Poughkeepsie, as a Member from *Westchester* County, between the seventeenth Day of June 1788, and the twenty-sixth Day of July following, including *five* travelling Days is *forty five* Days, at *12¹/₂* per Day.

L. 27

I CERTIFY the above Account at the Sum of *Twenty seven Pounds* ~~in the Treasury~~ *27* 1789



Received *3 March 1789* of Gerard Baucker, Esq. Treasurer of this State, the above Sum of *Twenty seven Pounds* in full of this Account.

L. 27

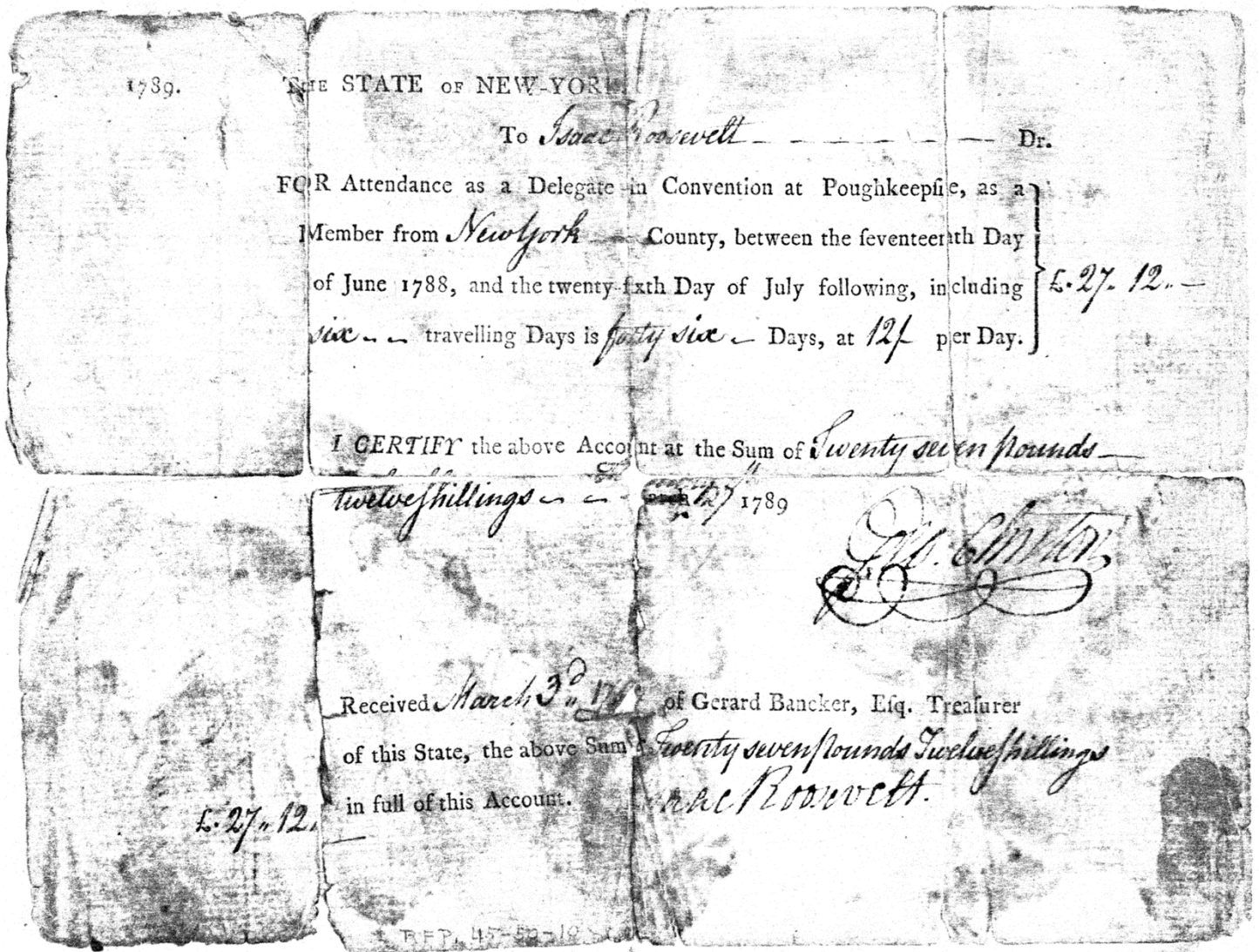
Lewis Morris

1. MS, Henry A. Willard Collection, DLC.

Lewis Morris
22nd - 1789

[Faint, illegible handwritten text, possibly a signature or list of expenses]

582. Isaac Roosevelt: Travel Voucher, 3 March 1789.¹



1. MS, Roosevelt Family Papers, Miscellaneous Series, RG 6, Franklin Delano Roosevelt Presidential Library, Hyde Park, N.Y.

600. Convention Journal, 18 June 1788.¹

JOURNAL
OF THE
CONVENTION
OF THE
STATE OF NEW-YORK;

Held at Poughkeepsie; in Dutchess County, the 17th of June, 1788.

POUGHKEEPSIE:

Printed by NICHOLAS POWER, a few rods East from the Court-house.



1. Printed: *Convention Journal*, 7-24.



STATE OF NEW-YORK.

POUGHKEEPSIE, in the COUNTY of DUTCHESS,

JUNE 17th, 1788.

PURSUANT to concurrent resolutions of the Senate and Assembly of this State, of the thirty-first day of January and first day of February last, the Delegates chosen by the people of this State in the respective counties, to form a Convention to take into consideration the report of the Convention of the States lately assembled in Philadelphia, and the letter and resolutions which accompanied the same to Congress, and the resolution of Congress thereon, met in the Court-house in Poughkeepsie, in the county of Dutchess. The certificates of the Supervisors of the respective counties being read, it appeared that the following gentlemen were elected Delegates to form the Convention, viz.

From the City and County of New-York.

JOHN JAY,
RICHARD MORRIS,
JOHN SLOSS HOBART,
ALEXANDER HAMILTON,
ROBERT R. LIVINGSTON,

ISAAC ROOSEVELT,
JAMES DUANE,
RICHARD HARISON,
NICHOLAS LOW,

From the City and County of Albany.

ROBERT YATES,
JOHN LANSING, Jun.
HENRY OOUTHOUTD,
PETER VROMAN,

ISRAEL THOMPSON,
ANTHONY TEN EYCK,
DIRCK SWART.

From

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From the County of Suffolk.

**HENRY SCUDDER,
JONATHAN N. HAVENS,
JOHN SMITH,**

**THOMAS TREDWELL,
DAVID HEDGES.**

From the County of Ulster.

**GOVERNOR CLINTON,
JOHN CANTINE,
CORNELIUS C. SCHOONMAKER,**

**EBENEZER CLARK,
JAMES CLINTON,
DIRCK WYNKOOP.**

From the County of Queens.

**SAMUEL JONES,
JOHN SCHENCK,**

**NATHANIEL LAWRENCE,
STEPHEN CARMAN.**

From the County of Kings.

PETER LEFFERTS,

PETER VANDERVOORT.

From the County of Richmond.

ABRAHAM BANCKER,

GOZEN RYERSS.

From the County of Westchester.

**LEWIS MORRIS,
PHILIP LIVINGSTON,
RICHARD HATFIELD,**

**PHILIP VAN CORTLANDT,
THADDEUS CRANE,
LOTT W. SARLS.**

From the County of Orange.

**JOHN HARING,
JESSE WOODHULL,**

**HENRY WISNER,
JOHN WOOD.**

From the County of Dutchess.

**ZEPHANIAH PLATT,
MELANCTON SMITH,
JACOBUS SWARTWOUT,
JONATHAN AKINS,**

**EZRA THOMPSON,
GILBERT LIVINGSTON,
JOHN D'WITT.**

From the County of Montgomery.

**WILLIAM HARPER,
CHRISTOPHER P. YATES,
JOHN FREY,**

**JOHN WINN,
VOLKERT VEEDER,
HENRY STARING.**

From

Of the **S T A T E** of **N E W - Y O R K**

From the Counties of Washington and Clinton.

ICHABOD PARKER;

ALBERT BAKER;

JOHN WILLIAMS,

The Convention unanimously elected his Excellency George Clinton, Esquire, to be their President, and placed him in the chair accordingly.

The Convention appointed John Mc. Kesson and Abraham B. Barker, to be their Secretaries.

David Barclay was appointed doorkeeper, James Pritchard, messenger, and Nicholas Power, printer to the Convention.

Ordered, That the doors of the Convention Chamber be open when the Convention are sitting.

The resolutions of the Senate and Assembly of the 31st day of January and first day of February last, were then read, and are in the words following, viz.

“ *Whereas* the United States in Congress assembled, did on the 28th day of September last, unanimously resolve, “ That the report of the Convention of the States lately assembled in Philadelphia, with the resolutions and letter accompanying the same, be transmitted to the several Legislatures, in order to be submitted to a Convention of Delegates chosen in each State by the people thereof, in conformity to the resolves of the Convention, made and provided in that case. Therefore

Resolved, as the sense of the Legislature, that the said report, with the said resolutions, and letter accompanying the same, be submitted to a Convention of Delegates to be chosen by the people of this State---that it be recommended to the people of this State, to choose by ballot, Delegates to meet in Convention for the purpose aforesaid---that the number of Delegates to be elected, be the same as the number of members of Assembly from the respective cities and counties---that all free male citizens of the age of twenty-one years, and upwards, be admitted to vote, and that any person of that description be eligible---that the election be held on the last Tuesday in April next, at the same respective places where the elections for members of Assembly shall be held, and be continued by adjournment from day to day until the same shall be completed, not exceeding five days---that the inspectors who shall inspect the election for members of Assembly, be also inspectors of the election for Delegates---that the inspectors do also appoint two clerks, each of whom shall

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keep a poll-list of the electors for Delegates---that the inspectors do provide a box to receive the ballots for Delegates---that the poll-books or lists shall after due examination and correction, be signed by the inspectors attending at the closing of the poll, and the clerks who shall have kept the same poll-books respectively, and then the box containing the ballots for Delegates, shall be opened, and the ballots therein contained, taken out, and without being inspected shall, together with the poll-books or lists for Delegates, be immediately put up under cover and enclosed, and the enclosure bound with tape, and sealed in such manner as to prevent its being opened without discovery; and the inspectors present at the closing of the poll, shall then put their seals, and write their names upon the same enclosure, and one of the inspectors then present, to be appointed by a majority of them, shall deliver the same enclosure, so sealed up as aforesaid, to the clerk of the County, without delay, who shall carefully preserve and keep the same unbroken and unopened, until the meeting of the persons who are to canvass and estimate the ballots therein contained, when he shall deliver the same enclosure unbroken and unopened to them---that the persons authorized by law to canvass and estimate the votes for members of Assembly, do also immediately after they shall have canvassed and estimated the votes to be taken at the elections to be held on the last Tuesday in April next, for members of Assembly, proceed to open the said enclosures containing the ballots for Delegates, and canvass and estimate the votes taken for Delegates, and when and as soon as they shall be able to determine upon such canvass or estimate, who by the greatest number of votes shall have been chosen for Delegates for the city or county, they shall determine the same, and thereupon without delay, make and subscribe with their own proper names and hand-writing, the requisite number of certificates of such determination, and cause one to be delivered to each of the persons so elected a Delegate, and that the said election and canvass, shall in every other respect not herein provided for, be conducted in like manner as is provided for by law, for holding elections for members of Assembly---that the Delegates so to be chosen, do meet in Convention at the Court-house in Poughkeepsie in the county of Dutchess, on the third Tuesday of June next---that the clerks of the Senate and Assembly, do forthwith after the Convention shall have assembled, deliver to them copies of the said report, and of the letter and resolutions which accompanied the same, to Congress, and of the said resolution of Congress---that the Delegates be allowed the same wages as the members of Assembly, and that it will be proper for the Legislature, at their next meeting, to provide for the payment thereof.

David

Of the STATE of NEW-YORK.

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David Hopkins, Esquire, appeared and produced a certificate of the Supervisors of Washington county, that he was duly elected in the said county as a member of this Convention, which was read.

Ordered, That Mr. Hopkins do take his seat.

Ordered, That the business of this Convention be opened every morning with prayer; and that Mr. Duane and Mr. G. Livingston, be a committee to wait on the gentlemen of the clergy in the precinct of Poughkeepsie, and request them to make such arrangements among themselves, that one of them may attend daily for that purpose.

Ordered, That a committee of five members be appointed by ballot, to report rules and regulations for conducting the business of this Convention.

The ballots being taken and told, it appeared that Mr. Duane, Mr. Jones, Mr. R. Morris, Mr. Lansing and Mr. Haring, were elected.

Ordered, That those five gentlemen be a committee for that purpose.

Then the Convention adjourned until eleven of the clock to-morrow morning.

W E D N E S D A Y, 11 O'CLOCK, A. M.

JUNE 18th, 1788.

The Convention met pursuant to Adjournment.

Three certificates of the Supervisors of Columbia county, were read, whereby it appears that Peter Van Nefs, John Bay, and Mathew Adgate, Esquires, who are now present, were duly elected in the said county as members of this Convention.

Ordered, That Mr. Van Nefs, Mr. Bay and Mr. Adgate, do take their seats.

Mr. Duane from the committee appointed to report rules and regulations for conducting the business of this Convention, brought in the report of the said committee, which was read, and the same being again read by paragraphs, and amended, was agreed to by the Convention.

Thereupon Resolved,

1st. That at the meeting of the Convention each day, the minutes of the preceding

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preceding day shall in the first place be read, at which time mistakes, if any, shall be corrected.

2^d. That all motions and addressses be made to the chair, and standing.

3^d. That every motion made and seconded, except motions for adjournment, shall be handed to the chair in writing, and there read before any debate or question taken thereon.

4th. That upon every question taken, the yeas and nays shall be entered, if requested by any two members.

5th.- That if two members rise to speak, and there shall be a dispute which of them rose first, it shall be determined by the President.

6th. That no interruption shall be suffered while a member is addressing the chair, but by a call to order by the President, or by a member thro' the President.

7th. That no member be referred to by name in any debate.

8th. That if any member shall transgress the rules a second time, the President may refer to him by name. That the Convention may examine and censure the member's conduct, he being allowed to extenuate or justify.

9th. That any member making a motion, may withdraw it before the question is put thereon; after which any other member may renew the same motion, if he thinks proper.

10th. That the appointment of all committees shall be by ballot.

11th. That none be admitted within the bar, excepting the members and Secretaries.

12th. That the preceding rules shall be observed when the Convention resolve itself into a committee of the whole.

The clerks of the Senate and Assembly, pursuant to concurrent resolutions of the Legislature of the 31st day of January and first day of February last, delivered to the Convention copies of the report of the Convention of the states lately assembled in Philadelphia, and of the resolutions and letter ac-

companying

Of the S T A T E of N E W - Y O R K. 9

companying the same to Congress, and of the resolution of Congress thereon; which were severally read, and are in the words following, viz.

“ WE the People of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquillity, provide for the common Defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this CONSTITUTION for the United States of America.

A R T I C L E I.

Sect. 1. **A**LL legislative powers herein granted, shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Sect. 2. The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several states which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty-thousand, but each state shall have at least one representative; and until such enumeration shall be made, the state of New-Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New-Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North-Carolina five, South Carolina five, and Georgia three.

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When vacancies happen in the representation from any state, the Executive authority thereof shall issue writs of election to fill such vacancies.

The House of Representatives shall chuse their Speaker and other officers ; and shall have the sole power of impeachment.

Sec. 3. The Senate of the United States shall be composed of two Senators from each state, chosen by the legislature thereof, for six years ; and each senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one third may be chosen every second year ; and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any state, the Executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.

The Vice-President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

The Senate shall chuse their other officers, and also a President *pro tempore*, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside : And no person shall be convicted without the concurrence of two-thirds of the members present.

Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States ; but the party convicted shall nevertheless

Of the STATE of NEW-YORK. 11

be liable and subject to indictment, trial, judgment and punishment, according to law.

Sec. 4. The times, places and manner of holding elections for senators and representatives, shall be prescribed in each state by the legislature thereof: but the Congress may at any time by law make or alter such regulations, except as to the places of chusing Senators.

The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

Sec. 5. Each house shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each house may provide.

Each house may determine the rules of its proceedings, punish its members for disorderly behaviour; and, with the concurrence of two thirds, expel a member.

Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house on any question, shall, at the desire of one-fifth of those present, be entered on the journal.

Neither house, during the session of Congress, shall without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

Sec. 6. The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

No senator or representative shall, during the time for which he was elected,

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ed, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States, shall be a member of either house during his continuance in office.

Sec. 7. All bills for raising revenue shall originate in the house of representatives; but the senate may propose or concur with amendments as on other bills.

Every bill which shall have passed the house of representatives and the senate, shall, before it become a law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his objections to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be re-passed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Sec. 8. The Congress shall have power

To lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States:

To

Of the **S T A T E** of **N E W - Y O R K**. 13

To borrow money on the credit of the United States :

To regulate commerce with foreign nations, and among the several states, and with the Indian tribes :

To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States :

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures :

To provide for the punishment of counterfeiting the securities and current coin of the United States :

To establish post-offices and post-roads :

To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries :

To constitute tribunals inferior to the supreme court :

To define and punish piracies and felonies committed on the high seas, and offences against the law of nations :

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water :

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years :

To provide and maintain a navy :

To make rules for the government and regulation of the land and naval forces :

To provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions :

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress :

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To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings :- ---And

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

Señ. 9. The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

The privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

No bill of attainder or *en post facto* law shall be passed.

No capitation, or other direct tax, shall be laid, unless in proportion to the *census* or enumeration herein before directed to be taken.

No tax or duty shall be laid on articles exported from any State. No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another; nor shall vessels bound to or from one state, be obliged to enter, clear, or pay duties in another.

No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States: And no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office or title, of any kind whatever, from any king, prince or foreign state.

Señ. 10. No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit;

make

Of the S T A T E of N E W - Y O R K.

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make any thing but gold and silver coin a tender in payment of debts ; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility.

No state shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws ; and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the Treasury of the United States ; and all such laws shall be subject to the revision and controul of the Congress. No state shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

A R T I C L E II.

Sec. 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice-President, chosen for the same term, be elected as follows :-----

Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the state may be entitled in the Congress : but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each ; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed ; and if there be more than one who have such majority, and have an equal number of votes, then the house of

Representatives

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Representatives shall immediately chuse by ballot one of them for President ; and if no person have a majority, then from the five highest on the list the said House shall in like manner chuse the President. But in chusing the President, the votes shall be taken by states, the representation from each state having one vote ; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice-President. But if there should remain two or more who have equal votes, the Senate shall chuse from them by ballot the Vice-President.

The Congress may determine the time of chusing the electors, and the day on which they shall give their votes ; which day shall be the same throughout the United States.

No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this constitution, shall be eligible to the office of President ; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President ; and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice-President, declaring what officer shall then act as President ; and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

The President shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected ; and he shall not receive within that period any other emolument from the United States, or any of them.

Before he enter on the execution of his office, he shall take the following oath or affirmation :----

“ I do solemnly swear (or affirm) that I will faithfully execute the office
“ of President of the United States, and will to the best of my ability, pre-
“ serve, protect and defend the constitution of the United States.”

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Sec. 2. The President shall be commander in chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the supreme court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law. But the Congress may by law vest the appointment of such inferior officers, as they think proper in the President alone, in the courts of law, or in the heads of departments.

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next Session.

Sec. 3. He shall from time to time give to the Congress information of the state of the union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

Sec. 4. The President, Vice-President and all civil officers of the United States shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

A R T I C L E III.

Sec. 1. The judicial power of the United States, shall be vested in one supreme court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior
E
court,

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court, shall hold their offices during good behaviour, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

Sec̄. 2. The judicial powers shall extend to all cases, in law and equity, arising under this constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states, between a state and citizens of another state, between citizens of different states, between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

Sec̄. 3. Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

A R T I C L E IV.

Sec̄. 1. Full faith and credit shall be given in each state to the public acts, records and judicial proceedings of every other state. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

Sec̄.

Of the STATE of NEW-YORK.

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Sec. 2. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

No person held to service or labour in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labour, but shall be delivered up on claim of the party to whom such service or labour may be due.

Sec. 3. New states may be admitted by the Congress into this union; but no new state shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned, as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules and regulations, respecting the territory or other property belonging to the United States; and nothing in this constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

Sec. 4. The United States shall guarantee to every state in this union a Republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence.

ARTICLE V.

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: Provided, that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth

clauses

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clauses in the ninth section of the first article ; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI.

All debts contracted and engagements entered into, before the adoption of this constitution, shall be as valid against the United States under this constitution, as under the confederation.

This constitution, and the laws of the United States which shall be made in pursuance thereof ; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land ; and the judges in every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding.

The senators and representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this constitution ; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.

The ratification of the conventions of nine states, shall be sufficient for the establishment of this constitution between the states so ratifying the same.

DONE in Convention, by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord, one thousand seven hundred and eighty-seven, and of the Independence of the United States of America the twelfth. In witness whereof we have hereunto subscribed our Names.

GEORGE WASHINGTON, President,
And Deputy from Virginia.

New-Hampshire. John Langdon, Nicholas Gilman.

Massachusetts. Nathaniel Gorham, Rufus King.

Connecticut. William Samuel Johnson, Roger Sherman.

New-York.

Of the STATE of NEW-YORK. 21

New-York. Alexander Hamilton.

New-Jersey. William Livingston, David Brearly, William Paterfon, Jonathan Dayton.

Pennsylvania. Benjamin Franklin, Thomas Mifflin, Robert Morris, George Clymer, Thomas Fitzsimons, Jared Ingersoll, James Willon, Gouverneur Morris.

Delaware. George Read, Gunning Bedford, Junior, John Dickinson, Richard Bassett, Jacob Broom.

Maryland. James McHenry, Daniel of St. Tho. Jenifer, Daniel Carrol.

Virginia. John Blair, James Madifon, Junior.

North Carolina. William Blount, Richard Dobbs Spaight, Hugh Williamson.

South-Carolina. John Rutledge, Charles Cotesworth Pinckney, Charles Pinckney, Pierce Butler.

Georgia. William Few, Abraham Baldwin.

Attest. WILLIAM JACKSON, *Secretary.*

IN CONVENTION, Monday, September 17, 1787.

P R E S E N T,

The States of New-Hampshire, Massachusetts, Connecticut, Mr. *Hamilton* from New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia :

RESOLVED,

THAT the preceding Constitution be laid before the United States in Congress assembled, and that it is the opinion of this Convention, that it should afterwards be submitted to a Convention of Delegates, chosen in each State by the people thereof, under the recommendation of its legislature, for their assent and ratification; and that each Convention, assenting to, and ratifying the same, should give notice thereof to the United States in Congress assembled.

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Resolved,

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Resolved, That it is the opinion of this Convention, that as soon as the Conventions of nine States shall have ratified this constitution, the United States in Congress assembled should fix a day on which electors should be appointed by the states which shall have ratified the same, and a day on which the electors should assemble to vote for the President, and the time and place for commencing proceedings under this constitution. That after such publication the electors should be appointed, and the senators and representatives elected: That the electors should meet on the day fixed for the election of the president, and should transmit their votes certified, signed, sealed and directed, as the constitution requires, to the secretary of the United States in Congress assembled, that the senators and representatives should convene at the time and place assigned; that the senators should appoint a president of the senate, for the sole purpose of receiving, opening and counting the votes for president; and, that after he shall be chosen, the Congress, together with the president, should, without delay, proceed to execute this constitution.

By the Unanimous Order of the Convention,

GEORGE WASHINGTON, President.

William Jackson, Secretary.

IN CONVENTION, September 17, 1787.

S I R,

WE have now the honor to submit to the consideration of the United States in Congress assembled, that Constitution which has appeared to us the most adviseable.

The friends of our country have long seen and desired, that the power of making war, peace and treaties, that of levying money and regulating commerce, and the correspondent executive and judicial authorities shall be fully and effectually vested in the general government of the Union: but the impropriety of delegating such extensive trust to one body of men is evident. Hence results the necessity of a different organization.

It is obviously impracticable in the federal government of these states, to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all. Individuals entering into society, must give up a share of liberty to preserve the rest. The magnitude of the sacrifice must depend

Of the S T A T E of N E W - Y O R K. 23

as well on situation and circumstance, as on the object to be obtained. It is at all times difficult to draw with precision the line between those rights which must be surrendered, and those which may be reserved; and on the present occasion this difficulty was encreased by a difference among the several States as to their situation, extent, habits, and particular interests.

In all our deliberations on this subject we kept steadily in our view, that which appears to us the greatest interest of every true American, the consolidation of our Union, in which is involved our prosperity, felicity, safety, perhaps our national existence. This important consideration, seriously and deeply impressed on our minds, led each state in the Convention to be less rigid on points of inferior magnitude, than might have been otherwise expected; and thus the Constitution, which we now present, is the result of a spirit of amity, and of that mutual deference and concession which the peculiarity of our political situation rendered indispensable.

That it will meet the full and entire approbation of every State is not perhaps to be expected; but each will doubtless consider, that had her interests been alone consulted, the consequences might have been particularly disagreeable or injurious to others; that it is liable to as few exceptions as could reasonably have been expected, we hope and believe; that it may promote the lasting welfare of that country so dear to us all, and secure her freedom and happiness, is our most ardent wish,

With great respect,

We have the honor to be

S I R,

Your Excellency's most

Obedient and humble servants,

G E O R G E W A S H I N G T O N, President ;

By unanimous Order of the Convention.

His Excellency the President of Congress.

UNITED

603. Draft of Robert R. Livingston's Resolution, 19 June 1788.¹

That on the 19th day of June ^{last past} on Motion of Mr. A. Livingston
 It was Resolved that no Question general or particular should be
 put in the Committee upon the proposed Constitution of Govern-
 -ment for the United States, or upon any Clause or Article
 thereof, nor upon any Amendment which ^{should} ~~may~~ be proposed
 thereto, until after the said Constitution and Amendments
~~shall~~ ^{should} have been considered Clause by Clause. —

That the said proposed Constitution of Government having been
 read, ~~the same~~ was considered and debated by Clauses and
^{afterwards} ~~and~~ Amendments proposed thereto from day to day until
 the 30th day of July Instant, on which day the several
 Amendments proposed with a form of a Ratification delivered
 by Mr. Lansing was read in the words following viz.

**639 (1). Manuscript Copies of the Declaration of Rights Introduced by John Lansing, Jr.,
7 July 1788.**

That all ~~men~~ have essential Rights of which they cannot by any Compact deprive or divest their posterity among which are the enjoyment of Life and Liberty, and the Pursuit of Happiness.

That all power is originally vested in and consequently derived from the People; and, that Government is instituted for their common Benefit, Protection and Security.

That in all Cases in which a man may be subjected to a Capital or infamous Punishment no one ought to be put to his Trial unless on an Indictment by a Grand Jury; and that in all Capital or Criminal Prosecutions, the Accused hath a Right to demand the Cause and nature of his Accusation; to be confronted with his Accusers and Witnesses, to produce Testimony and have Counsel in his defence; and to a fair, public and speedy Trial by an Impartial Jury of the Country in which the Crime was committed, without whose unanimous Consent he ought not to be found guilty (except in the Government of the Land and Naval Forces) nor ought he to be compelled to give Evidence against himself.

That no freeman ought to be taken Imprisoned or dis seized of his Freehold, or be exiled, or deprived of his Privileges Franchises.

Franchises, Life, Liberty or Property, but by the Law of the Land.

That no person ought to be put in Jeopardy of Life or Limb, or otherwise Punished Twice, for one and the same Offence, unless upon Impeachment

That every Freeman restrained in his Liberty is entitled to an Inquiry into the Lawfulness of such Restraint, without denial or Delay; and to removal thereof if unlawful —

That in all Controversies respecting Property, and in all Suits between Man and Man, the Ancient Trial of Facts by Jury is one of the greatest Securities of the Rights of a free People, and ought to remain sacred and inviolate forever.

That excessive Bail ought not to be required, nor excessive Fines imposed, nor cruel or unusual Punishments inflicted.

That every Freeman has a Right to be secure from all unreasonable Searches and Seizures of his Person, his Papers, and his property; ^{without due Information upon Oath or Affirmation of suspected Cause;} and that ~~no~~ all general Warrants to search Suspected Places, or to apprehend any suspected Person, without specially naming ^{describing or} ~~or describing~~ the place or Person, ^{are} dangerous and oppressive, and ought not to be granted.

That

That the People have a Right peaceably to assemble together, to consult for their common Good, or to instruct their Representatives; and that every Freeman has a Right to petition or apply to the Legislature for Redress of Grievances.

That the Freedom of the Press ought not to be violated or restrained.

That the Militia should always be kept well organized Armed and disciplined, and include, according to past Usage of the States, all the Men capable of bearing Arms; and ought not to be subject to Martial Law, (except in time of War, Invasion or Rebellion); and that in all Cases the Military should be under strict Subordination to ~~and governed by~~ the Civil Power.

That Standing Armies in Time of Peace are dangerous to Liberty, and ought not to be kept up, but in Cases of absolute Necessity.

That no Soldier, in Time of Peace, ought to be quartered in any House, without the Consent of the owner; and in Time of War only by the Civil Magistrate, in such Manner as the Laws may direct.

to be inserted in some other Part. That any Person religiously scrupulous of bearing Arms, ought to be exempted therefrom, upon Payment of an Equivalent.

That the free and peaceable Exercise and Enjoyment of Religious Profession and Worship, is a natural and unalienable Right, and

and ought ^{never} ~~not~~ to be abridged or violated —

That nothing in the said Constitution ^{is to} shall be construed to prevent the Legislature of any State to pass Laws ^{at its Discretion} from time to time to divide such State into ~~as many~~ convenient Districts, and to apportion its Representatives to ~~and~~ among such Districts. ~~as the State shall be entitled to elect Representatives for Congress, nor to prevent such Legislature from making provision that the Electors in each District shall chuse a citizen of the United States who shall have been an Inhabitant of the District for the Term of one year immediately preceeding the Time of Election, for one of the Representatives of such State.~~

to be recommended.

That no power ^{is to} shall be exercised by Congress but such as is expressly given by the said Constitution, and that all other powers not expressly given shall be reserved to the respective States to be by them exercised. ~~That nothing in the said Constitution contained shall be construed to vest a power in the Congress to suspend the Privilege of Habeas Corpus by any Law~~

~~Law for a Term exceeding six months, or until
twenty days after the then next Meeting of the Congress.~~

^{Prohibition in the said Constitution against passing}
That the ^{meaning of} ~~meaning of~~ ^{are to} ~~exp post facto~~ Laws shall not
be construed to prevent ~~calling public~~
~~Defaulters to Account~~, but shall extend only
to ~~laws~~ Laws concerning crimes.

That all Appeals from any Court ~~in their~~
~~States~~, proceeding according to the Course
of the Common Law, ^{are to} shall be by Writ of Error
and not otherwise.

That the Judicial Power of the united States, as to
Controversies between Citizens of the same State
claiming Lands under Grants of different States
~~is not~~ ^{is to} be construed to extend to any other
Controversies than those relating to such
Lands as shall be claimed by two or more persons
under Grants of different States. That nothing
in the said Constitution contained ^{is to} shall be
construed to authorize any Suit to be brought
against any State in any manner whatever.

That the judicial Power of the united States in
cases in which a State shall be a Party is not
to be construed to extend to criminal Prosecutions.

^{to} ~~That the judicial Power of the united States as~~
^{common-} ~~to Controversies between Citizens of different~~
^{ality -} ~~States, shall not be construed to extend to any~~
~~controversy relating to any real Estate, not~~
~~claimed under Grants of different States.~~

^{is to} ~~That nothing in the said Constitution contained~~
~~shall be construed to authorize Congress to grant~~
~~Monopolies, or to erect any Company with~~
~~exclusive~~

~~exclusive advantages of Commerce~~ ~~That the~~
 Power to organize Arm and discipline the
 militia shall not be construed to extend
 further than to prescribe the mode of
 Arming and disciplining the same.

That no Treaty ~~is~~ to be construed to
 operate so as to alter the Constitution
 of any State.

That the Jurisdiction of the Supreme
 Court of the United States, or of any other
 Court to be instituted by the Congress,
 is ~~ought~~ not in any case to be increased,
 enlarged or extended, by any Fiction,
 collusion or mere Suggestion.

That the clauses in the said Constitution which declare
 that the Congress shall not have or exercise certain
 Powers, are not to be interpreted in any manner
 whatsoever to extend the Powers of the Congress, but
 are to be construed either as exceptions to their
 specified Powers, or as inserted for greater caution.

639 (2). Manuscript Copies of the Declaration of Rights Introduced by John Lansing, Jr., 7 July 1788.

July 7th Mr. Lansing — ^{Declaration}
 Bill of Rights intended to be inserted in the
 Ratification of the new Constitution —

That all Freeman have essential Rights of which they cannot by any Compact deprive or divest their posterity among which are the Enjoyment of Life and Liberty.

That all power is originally vested in and consequently derived from the people & that Government is instituted for their common Benefit protection and security.

That in all cases in which a Man may be subjected to a capital or infamous punishment no one ought to be put to his Trial unless on an Indictment by a grand Jury & that in all capital or criminal prosecutions the accused hath a right to demand the Cause and Nature of his Accusation — to be confronted with his Accusers and Witnesses — to produce Testimony and have Council in his Defense & to a fair public and speedy Trial by an impartial Jury of the County in which the Crime was committed without whose unanimous Consent he ought not to be found guilty (except in the Government of the Land and naval Forces in Time of actual War Invasion or Rebellion) nor ought he to be compelled to give Evidence against himself.

That no Freeman ought to be taken

imprisoned or despoiled of his Freehold or be
 exiled or deprived of his privileges, Tran-
 -sactions, life, liberty or property but by the
 Law of the Land.

That every Freeman restrained
 his Liberty is entitled to an Enquiry into
 the Lawfulness of such Restraint without
 Denial or Delay & to a Removal thereof
 if unlawful.

That in all controversies respecting
 property and in all suits between Man &
 Man the ancient Trial of Facts by Jury is
 one of the greatest Securities of the Rights
 of a free people and ought to remain
 sacred & inviolate for ever.

That excessive Bail ought not to be
 required nor excessive Fines imposed
 nor cruel or unusual punishments
 inflicted.

That every Freeman has a Right to be
 secure from all unreasonable searches &
 seizures of his person, his papers & his
 property and that therefore all Warrants
 to search suspected places or to seize any

That no person ought to be taken out of his country or deprived of his Liberty or property without a Lawful Authority

Freeman his papers or property without
 Information upon oath (or affirmation
 of a person religiously scrupulous of taking
 an oath) of sufficient cause, reasons
 and apprehensions, and that no power shall
 be granted to search suspected places or to appre-
 hend any suspected person without
 specially naming or describing the place
 or person are dangerous & oppressive
 & ought ^{not} to be granted.

That the people have a right peaceably
 to assemble together to consult for their
 common good or to instruct their Repre-
 sentatives and that every Freeman has
 a right to petition or apply to the Legisla-
 -ture for Redress of Grievances.

That the Freedom of the press ought
 not to be violated or restrained.

That the militia should always
 be kept well organized armed & disciplined
 & include according to past usages of the
 States all the Men capable of bearing Arms
 and that no Regulations tending to render

the general Militia needs & dependencies by
 establishing select bands of Militia without
 the aid of Military when not having perma-
 -nent interests & attachments to the
 Community right to be made & that the
 Militia ought not to be subject to Martial
 Law except in Time of War Invasion or
 Rebellion & that in all Cases the Militia
 should be under strict Subordination to
 & governed by the civil power.

That no Soldier in Time of peace
 ought to be quartered in any House with-
 -out the Consent of the Owner & in Time
 of War only by the civil Magistrate in
 such Manner as the Legislature direct.

That any person religiously con-
 -scientious of bearing Arms ought to be
 exempted therefrom upon payment of
 an Equivalent.

That the free and peaceable Exer-
 -cise and enjoyment of religious Professions
 & Worship is a natural & inalienable
 Right & ought never to be abridged or
 violated.

Declaration of Rights to which
 to be added in the Constitution
 of the new Constitution

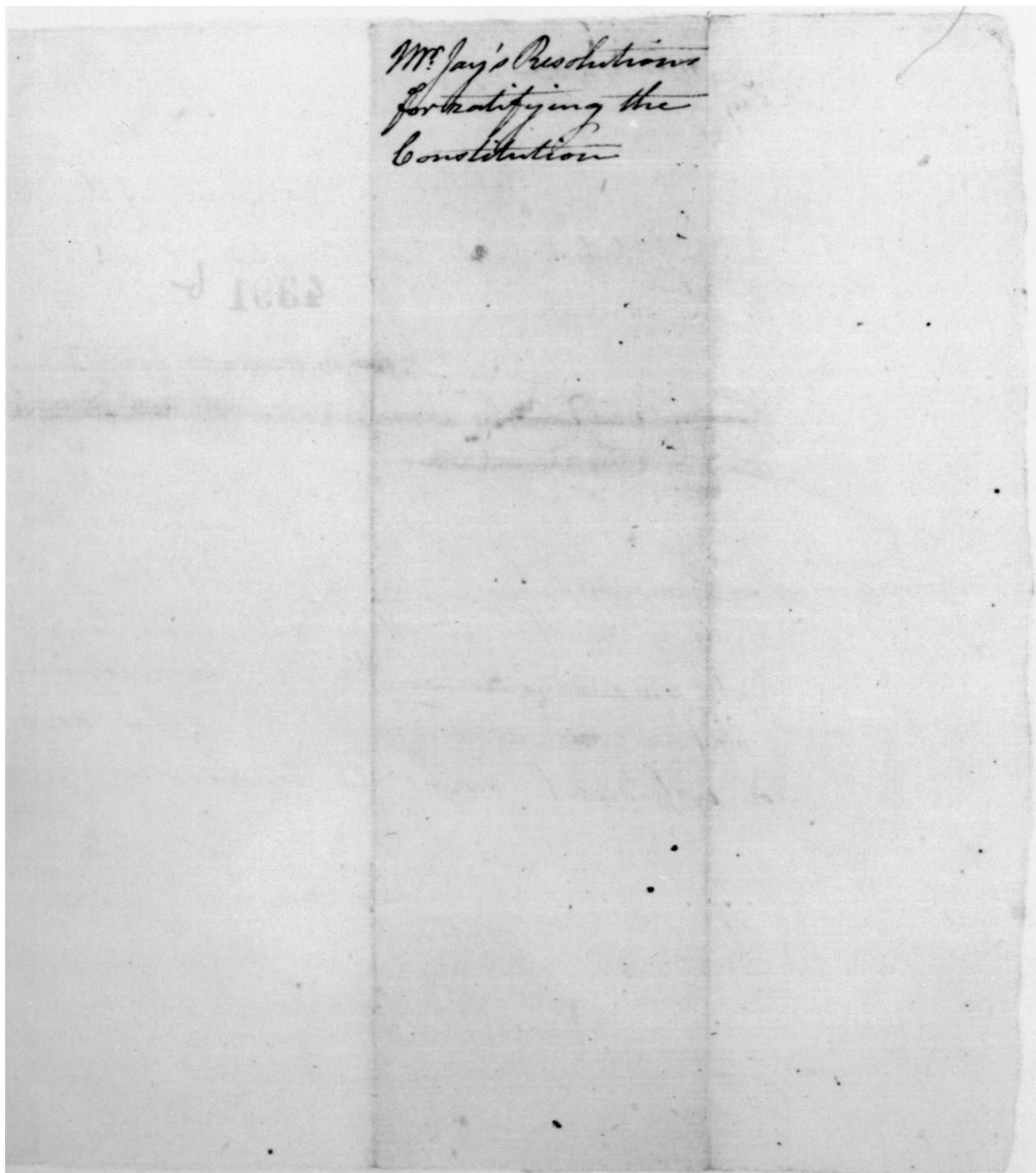
645. John Jay's Resolutions to Ratify the Constitution, 11 July 1788.

W^m Jay 11 July 1788

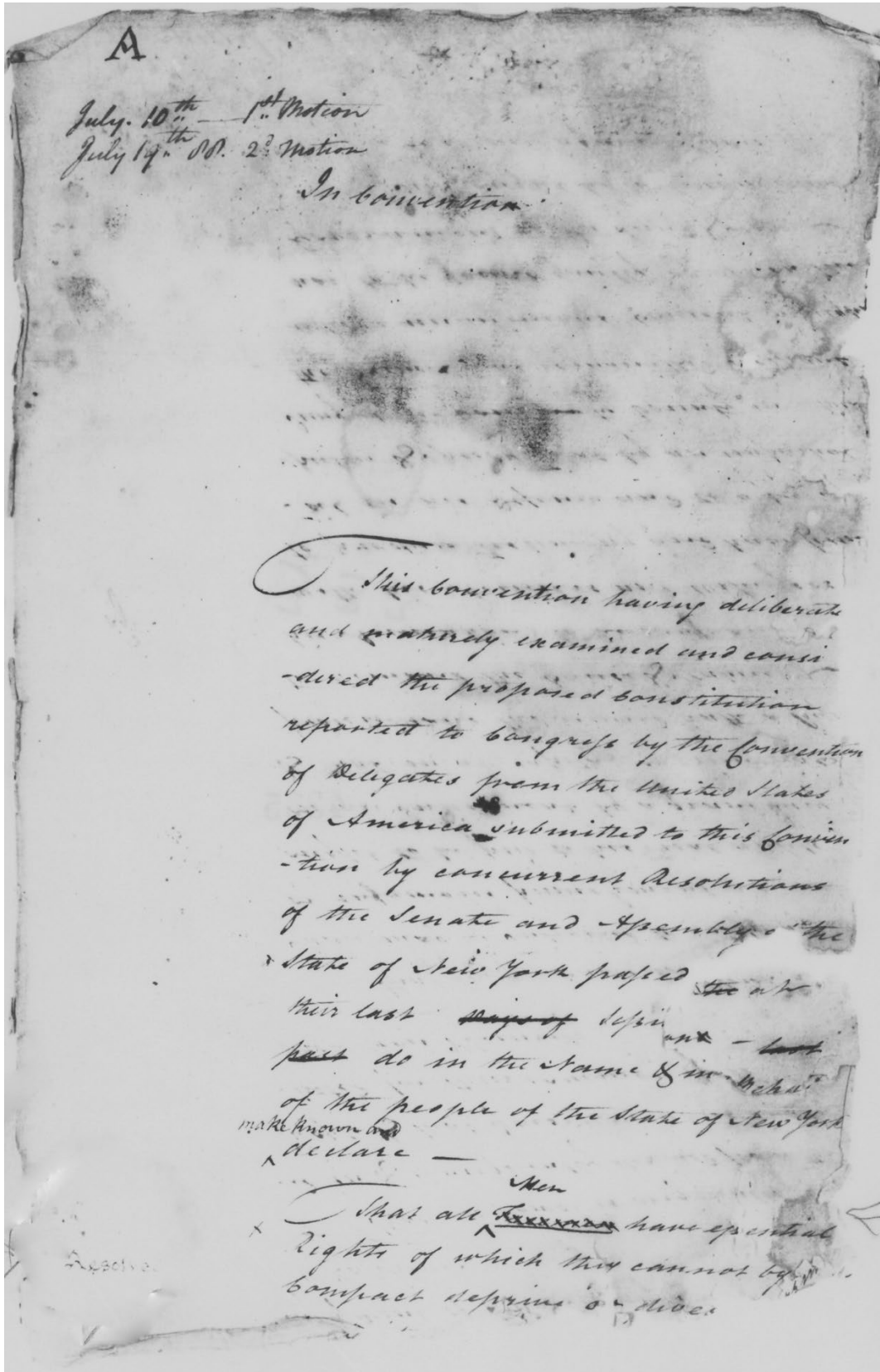
Resolved, as the opinion of this Committee that
the Constitution under consideration ought to be ratified
by this convention.

~~Resolved, as the opinion of this Committee that
the Constitution under consideration ought to be ratified
by this convention.~~

Resolved further as the opinion of
this Committee that such parts of the said constitution
as may be thought doubtful ought to be explained and
that amendments ought to be recommended to ~~what~~
whatever ~~is~~ amendments may be deemed useful
or expedient ought to be recommended.



646-A (1). Melancton Smith's Form of Ratification, 11 July 1788 (draft of Declaration of Rights).¹



1. John McKessen Papers, New-York Historical Society.

19th 29th
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 x

Enjoyment of life & Liberty & the
 of Happiness.

— That all power is originally vested
 in & consequently derived from the
 people & that Government is instituted
 for their common benefit for
 protection & security.

— That in all cases in which a
 Man may be subjected to a capital
 or infamous punishment he ought
 to be put to his Trial unless
 in an Indictment by a grand Jury
 & that in all capital or criminal
 prosecutions the accused hath a Right
 to demand the Cause & Nature of
 his Accusation: to be confronted
 with his Accusers and Witnesses
 to produce Testimony and have full
 -ail in his Defence and to a fair
 public & speedy Trial by an impartial
 Jury of the County or County in which
 the Crime was committed or without
 whose unanimous consent he ought
 not to be found guilty (except in the
 Government of the Land & Naval
 Forces) nor ought he to be compelled
 to give evidence against himself.

2. That no Freeman ought to be taken
 + imprisoned or deprived of his Freehold
 or he exiled or deprived of his privileges
 - or franchises, life, liberty or property
 - except in Cases of ^{Process} ~~the~~ ^{but} ~~the~~ ^{by} ~~the~~ ^{the} Law of the Land.

except in Cases of Impeachment

That no person ought to be put
 in Jeopardy of life or limb or other
 -wise punished twice for one & the
 same offence unless upon Impeach-
 -ment.

That every Freeman restrained
 in his Liberty is entitled to an Inqui-
 -ry into the Lawfulness of such re-
 -straint without Denial or Delay
 and to a Removal thereof if un-
 -lawful.

That in all ^{controversies} ~~cases~~ ^{disputes} ~~respects~~ ^{of} ~~disputes~~
 -party and in all suits ^{to} ~~between~~ ^{parties} ~~between~~
 & than the antient Trial of Facts by
 Jury is one of the greatest Securities
 of the Rights of a free people & ought
 - to remain sacred & inviolable ~~through~~
 -out.

That excessive Bail ought not to
 X be taken required nor excess.

Punishments inflicted.

y^d
 That every Freeman has a right
 to be secure from all ~~unreasonable~~
 searches & seizures of his persons
 his papers & his property without
 information upon oath or Affirma-
 X tion of sufficient cause & that all
 general warrants to search ~~the~~
 ay^d places or to apprehend any suspected
 person without specially describing
 or naming the place or person are
 dangerous & oppressive & ought not
 to be granted.

X
 That the people have a right
 peaceably to assemble together to
 consult for their common good or to
 instruct their Representatives and
 ay^d that every Freeman has a right to
 petition or apply to the Legislature
 for a Redress of Grievances.

y^d
 That the Freedom of the press &
 ought not to be violated or restrained.

That the Militia should always
 be kept well organized armed & disciplined
 and include, according to past usage

3. of the States, all the men capable of
 bearing Arms and ought not to be
 subject to martial Law (except in
 Time of War Insurrection or Rebellion)
 and that in all Cases the Military
 should be under strict Subordination
 to the civil Power.

ag

That standing Armies in Time of
 Peace are dangerous to Liberty
 & ought not to be kept up but in Case
 of absolute Necessity.

ag

That no Soldier in Time of Peace
 ought to be quartered in any House
 without the Consent of the Owner & in
 Time of War only by the Civil Magis-
 trates in such Manner as the Laws
 may direct.

ag

That any person religiously
 scrupulous of bearing Arms ought to
 be exempted therefrom upon pay-
 ment of an Equivalent.

ag
 This is to be inserted in some
 other part

That the free and peaceable Exer-
 cise & enjoyment of religious profession &
 worship is a natural & unalienable
 Right & ought never to be ab-
 or violated.

ag

And nothing in the said Constitution
 is to be construed to prevent the
 Legislature of any State to pass laws
 at its discretion
 from Time to Time to divide such
 State into as many convenient
 Districts as the State shall be entitled
 to elect Representatives for Congress
~~was to prevent such division~~
~~from making provision therefor~~
 Districts in each District shall choose
 a list of the United States who
 shall have been an Inhabitant of
 the District for the Term of one Year
 immediately preceding the Time of
 Election for one of the Representatives
 of such State

And to apportion
 its Representatives
 to & among such
 Districts

Seats to be
 recommended

to be recommended

Ag. That the Legislature
 of the respective
 States may make

That no power is to be exercised
 by Congress but such as is expressly
 given by the said Constitution & that
 other powers not expressly given are
 reserved to the respective States to
 be by them exercised.

That the prohibition in the said
 Constitution against passing ex post
 Facto Laws extends only to Laws
 concerning crimes.

4.

~~in any Court
in which a trial
by Jury has been
made~~

That all Appeals from any Court
proceeding according to the Course
of the common Law are to be by
Writ of Error & not otherwise.

That the Judicial power of the
United States as to controversies
between Citizens of the same State
claiming Lands under Grants of dif-
ferent States is not to be construed
to extend to any other Controversies
than those relating to such Lands -
as shall be claimed by two or more
persons under Grants of different States
- That Nothing in the said Constitution
contained is to be construed to authorize
any Suit to be brought against
any State in any Manner whatsoever.

That the Judicial power of the
United States as to controversies be-
tween Citizens of different States is
not to be construed to extend to any
Controversies relating to any real
Estate not claimed under Grants of
different States.

That Nothing in ~~the said Constitution~~
~~contained to~~ ~~authorize~~

That the Judicial
power of the United
States in Cases in
which a State shall
be a party is not to
be construed to ex-
tend to criminal
prosecutions
to be
recommendatory

to the Accommodation ~~as to such as~~ ^{to} any ^{with} ^{re-}
-sive Advantages of Commerce.

29^d X That no Treaty is to be construed
to operate so as to alter the Consti-
-tution of any State -

29^d X That the Jurisdiction of the Su-
-preme Court of the United States
or of any other Court to be ~~estab-~~
-lished by the Congress is not in
any Case to be increased enlarged
or extended by any Fiction Fiction
or mere Suggestion.

29^d X That the Clauses in the said
Constitution which declare that
the Congress shall not have an
exercise certain powers ~~shall not~~
be interpreted in any Manner
whatsoever to extend the powers of
the Congress but are to be construed
either as Exceptions to the specified
powers or as inserted for greater
Caution -

646-A (2). Melancton Smith's Form of Ratification, 11 July 1788 (amendments proposed by Smith and Lansing).¹

7 And the Convention do in the name & Behalf of the people of the State of New York assign it upon their Representatives in Congress to exert all their Influence & use all reasonable means to obtain a Ratification of the following Amendments to the said Constitution in the manner prescribed therein & in all Laws to be passed by Congress in the mean time to conform to the spirit of the said Amendments as far as the Constitution will admit.

That the Legislature of any State shall not be compelled to serve without the dissent of the Legislature of the State for a longer Term than six Weeks without the consent of the Legislature thereof.

~~That Congress do not impose~~
 That Congress do not impose ^{except ardent spirits} ~~any~~ Tax or Excise ^{production} on any Article of the Growth or Manufacture of the United States or any of them. That Congress do not lay direct Taxes but when the Monies arising from the Impost and Excise shall be insufficient for the publick exigencies nor then until Congress shall have made a Requisition upon the States to supply Levy & pay their respective proportions of such Requisition agreeably to the Census paid in the said Constitution in such Manner as the Legislatures of the respective States shall judge best in such case if any State shall not

2 ag?

3 ag?

1. John McKessen Papers, New-York Historical Society.

... pursuant to such Requisition the Congress may accept & levy such the proportion together with interest at the rate of six per centum per Annum from the Time of pay- ment prescribed in such Requisition

Agreed unanimously -

4.

That Congress shall not ~~be~~ ~~authorized~~ to make or alter any Regula- tion in any State respecting the Times places and Manner of holding Elections for Senators or Representa- tives unless the Legislature of such State shall neglect or refuse to make Laws or Regulations for the purpose or from any circum- stance be incapable of making the same, and ~~that in those cases~~ ~~such power shall only be exercised~~ ~~then only,~~ until the Legislature of such State shall make provision in the pre- sence.

~~That Congress shall not be authorized to make or alter any Regulation in any State respecting the Times places and Manner of holding Elections for Senators or Representatives~~
provided that ~~nothing~~ regular Troops shall be raised or kept up in Time of peace without the consent of two thirds of the Senators & Representatives ~~Members of each House~~ present in each House.
~~in those States which shall~~
~~success Congress from~~
~~may~~
~~prescribing the Time~~
~~for the Election of 5~~
~~Representatives~~

That no standing Army or regular Troops shall be raised or kept up in Time of peace without the consent of two thirds of the Senators & Representatives ~~Members of each House~~ present in each House.

That there shall be one Representative
 for every thirty thousand Inhabitants
 according to the Enumeration or Census
 mentioned in the Constitution until
 the whole Number of Representatives
 amount to two hundred: after which
 that Number shall be ^{continued or} increased as
 as Congress shall direct upon the
 principles fixed in the Constitution
 by apportioning the Representatives
 of each State to some greater Number
 of people from time to time as
 Population encreases.

See A

ag³

That no person be eligible as
 a Senator for more than six years
 in any Term of twelve Years - and
 that ~~it shall be in the power of~~
 the Legislatures of the ^{several} States
^{may} to recall their Senators or
 either of them & to elect others in
 their stead to serve the Remains
 of the Time for which the Senators
 so recalled were appointed.

14.
ag⁹

That no Senator or Repres-
 -tive shall during the Time for

15.
ag

to any office under the Authority of
the United States.

ag^d.
6.
That no Money be borrowed on
the Credit of the United States
without the Assent of two thirds of
the ~~Members of each House~~
Senators & Representatives present
in each House.

ag^d.
7.
That the Congress shall at all
Times consent that any person
holding any Office of Trust or profit
in or under the United States shall
accept of any Title of Nobility or any
other Title of Office from any King
Prince or foreign State.

ag^d.
8.
That no person shall be eligible
to the Office of President of the
United States a third Time.

ag^d.
9.
That the Executive shall not in person
take the actual Command of
the Army or Navy
without the previous de-
sire of the Congress

ag^d.
10.
That the President or
person holding his
place shall not
grant pardons
for Treason
and
of the Congress
when Treason are committed

ag^d.
11.
That the President of the United
States shall never command the
Army or Navy or any of the United
States in person
ag^d.
12.
That the Executive shall
not grant pardons
unless with
the consent
of the Congress
and
in cases
where Treason are committed

15 That the president
or person exercising
his powers for the
Time being shall not
command an Army
in the Field in per-
son without the
previous Advice of
the Congress.

Disagreed

but may at his discretion
~~Treason he shall have Authority~~
to persons convicted of Treason
grant Reprieves until their cases
can be laid before the Congress.

III That the Congress appoint in such
Manner as they may think proper
a Council to advise the president
in the Appointment of Officers &
- that the Council shall not continue
in office ^{for} longer Term than four
Years - They shall keep a Record
of their proceedings & sign the same
and be impeachable for Malfeas-
-ance in office - that the President
shall have a reasonable allowance
for their services fixed by standing
Laws & that no Man shall be
elected a Senator who shall not
have attained ^{to} the Age of thirty
Years & who is not either a nat-
-ral born Citizen of the United
States or has become a Citizen of
one of them before the fourth Day
of July in the Year ~~one thousand~~
one thousand seven hundred &
seventy six.

& address patent

Wm
it
Ag.

Pardons
his

and process shall run in the name
of the people of the United States
and be tested in the name of
the president of the United States
or person ~~exercising his powers~~ ^{exercising his powers} ~~at that time~~ ^{at that time}
the time being or the first day
of the court out of which the same
shall issue as the case may be.

19.

Ag.

That no Judge of the Supreme
Court of the United States shall ~~during~~
~~his continuance in office~~ hold any
other office under the United States
or any of them.

24.

Ag.

~~Senators & Representatives & all executive~~
~~and judicial~~
That all the officers of the United
States shall be bound by oath or affirmation
not to ~~infringe~~ ^{obviate} the ~~constitution~~
~~or~~ ^{rights} of the respective ~~States~~ ^{States}

28.

Ag.

That the Congress shall
~~have the power or right to declare~~
~~war~~ ^{declare} without the ~~consent~~ ^{consent} of two
thirds of the ~~members~~ ^{members} of both
~~House & present~~ ^{House & present} Senators & Repre-
sentatives present in each House.

7.

Ag.

That the Right of the Congress
to exercise exclusive Legislation
over such District not exceeding ten
Miles square as may by Congress

of a particular State and the Assent
 -tance of Congress became the Head
 9. of the Government of the United
 States shall not be so exercised as
 to exempt the Inhabitants of
 such District from paying the like
 Taxes Imposts Duties and Excises
 as shall be imposed on the other
 Inhabitants of the State in which
 such District may be and that
 person shall be privileged within
 the said District from Arrest for
 Crimes committed or Debt con-
 -tracted out of the said District
 and that the Inhabitants of the
 said District shall be entitled to
 the like of essential Rights with the
 other Inhabitants of the United
 States in general.

10. Ag^d. That the Right of exclusive
 Legislation with respect to
 places as may be purchased
 for the Erection of Forts, Magazines
 Arsenals Dock-Yards & other nec-
 -essary Buildings shall not be
 -extended to authorize the Gov^t
 to make any Law to prevent

they may be from extending to
 places in all civil & criminal
 matters except as to such places
 as shall be in the service of the
 United States, nor to them with
 respect to crimes committed
 without such places.

Disagreed

~~That an Account of the
 Receipts and Expenditures of the
 Army shall at least once
 in every Year be transmitted
 to the Executives of the several
 States to be laid before the Legis-
 lature thereof.~~

Ag^d -

That Congress shall not
 constitute or ordain or establish
 any Tribunals or Inferior Courts
 with any other than appellate
 Jurisdiction except such as may
 be necessary for the Trial of
 Causes of Admiralty and
 Maritime Jurisdiction & for
 the Trial of Piracies & Felonies
 committed on the high Seas & in
 all other Cases to which the Ju-
 dicial power of the United States
 extends & in which the Supreme
 Court of the United States

21.

has not original Jurisdiction the
Cases shall be heard tried and
determined in some one of the State
Courts with the Right of Appeal
to the Supreme Court of the United
States or other proper Tribunal
to be established for that purpose
by the Congress with such Exceptions
& under such Regulations
Congress shall make.

Adj.

23

~~That persons aggrieved
any Judgment, Sentence or Decree
of the Supreme Court of the United
States with such Exceptions &
under such Regulations as the
Congress shall make concerning
the same shall upon Application
obtain a Commission to be issued
by the President of the United States
to such ^{learned in the Law} Men, as he shall
nominate and by & with the
Advice and Consent of the Senate
appoint not less than seven and
authorizing such Commissioners
or any seven or more of them
to correct the Error in the
Judgment~~

or secure as the case may be
 Justice to the parties in the premises

Adj. That the Congress shall not
 Privilege have power to suspend the
 Habeas Corpus shall not
 be suspended for a longer Term than
 8 Months or until twenty Days
 after the then next Meeting of the
 Congress.

~~That the power to organize
 and discipline the Militia
 shall only extend so far as to
 prepare the Mode of organizing
 arming & disciplining the same~~

That the number of Representatives be fixed at the Rate of one for every thirty thousand Inhabitants, to be ascertained on the Principles, mentioned in the second section of the first Article of the Constitution, until they amount to two hundred; after which to be apportioned among the States in proportion to the Number of Inhabitants of the States respectively —

That no Person be eligible as a Senator for more than six years in any Term of Twelve years — That it shall be in the Power of the Legislatures of the several States, to recall their Senators, or either of them, and to elect others in their Stead, to serve the remainder of the Time for which the Senators so recalled, were appointed.

646-B. Melancton Smith's Form of Ratification, 11 July 1788 (proposed conditional amendments).¹

This Convention having maturely and
 deliberately examined & considered the
 proposed Constitution reported by the Con-
 vention of Delegates from the United
 States of America submitted to this Con-
 vention by concurrent Resolutions of
 the Senate and Assembly of the State of
 New York passed the Thirtieth first day of January
 and first — day of February last past Do in the
 Name & in Behalf of the people of the
 State of New York declare [here Declaration
 of Rights & Explanations] and with a firm
 Reliance and on the express Condition
 that the Rights aforesaid will not & shall
 not be lost, abridged or violated and
 that the said Constitution shall in the
 Cases above particularized receive the
 Construction herein before expressed
 with a solemn Appeal to the Searchers
 of Hearts for the purity of our Intentions
 & in the Confidence that whatever
 Imperfections may exist in the Con-
 stitution will as soon as possible
 be submitted to the Consideration
 of a general Convention.

1. John McKessen Papers, New-York Historical Society.

The said Delegates in the Name & in
Behalf of the people of the State
of New York do by these presents
assent to & ratify the said consti-
tution (a copy whereof is herewith
annexed) Upon condition nevertheless
that until the Amendments herein
contained & herewith recommended
shall have been submitted to and
determined upon by a ~~general~~ general
Convention to be called in the Manner prescribed
by the said Constitution the Militia
of this State shall not be continued
in Service out of this State for a
longer Term than six Weeks without
the Consent of the Legislature
thereof - That Congress shall not
be authorized to make or alter
any Regulations in this State
respecting the Times places and
Manner of holding Elections for
Senators or Representatives unless
the Legislature of this State
shall neglect or refuse to make
Laws or Regulations for

+proportions
of such Requisi-
tion

the purpose or from any circumstance
be incapable of making the same
& that in those cases such power
shall only be exercised until the
legislature of this state shall make
provision in the premises and that
no Excise shall be imposed on any
Article of the Growth or Manufacture
of the United States or any of them
within this State and that Congress do
not lay direct Taxes within this State
but when the Monies arising from
the Impost & Excise shall be insufficient
for the public Exigencies nor then
until Congress shall first have made
upon the States to assess Levy & pay their respective
a Requisition agreeable to the former
paid in the said Constitution in such
way and Manner as the Legislature
of this State shall judge best, but that
in such case if the State shall neglect
or refuse to pay its proportion
pursuant to such Requisition then
Congress may assess & Levy this States
proportion together with Interest
at the Rate of six per centum per
Annum from the Time at which

The same was required to be paid.

*Report of the Convention
on the new Constitution*

646-C. Melancton Smith's Form of Ratification, 11 July 1788 (proposed conditional amendments).¹

The militia of this State shall not be continued in service out of this State for a longer Term than six weeks, without the consent of the Legislature thereof— That Congress shall not be authorized to make or alter any Regulation in this State, respecting the Times, Places, and manner of holding Elections for Senators or Representatives, unless the Legislature of this State shall neglect or refuse to make Laws or Regulations for the Purpose, or from any Circumstance be incapable of making the same; and that in those Cases such Power shall only be exercised until the Legislature of this State shall make provision in the Premises— And that no Excise shall be imposed on any article of the Growth or Manufacture of the United States or any of them within this State; and that Congress do not lay direct Taxes within this State, but when the Monies arising from the Impost and Excise shall be insufficient for the Publick Expencies, nor then until Congress shall—

1. John McKessen Papers, New-York Historical Society.

shall first have made a Requisition upon the
States to assess levy and pay ^{its} ~~their~~ respective
Proportion of such Requisition, agreeable to the
Census fixed in the said Constitution in such
way and manner as the Legislature of this State
shall judge best; but that in such Case, if the State
shall neglect or refuse to pay its Proportion,
pursuant to such Requisition, then ^{the} Congress may
assess and levy this States proportion, together
with Interest, at the Rate of Six per Centum per
Annum, from the time at which the same was
required to be paid.

652. Draft of John Sloss Hobart's Motion to Adjourn, 16 July 1788.

Whereas since the time of electing the Delegates now in Convention assembled the Constitution submitted to their Consideration hath been so far ratified as to have become a System of Government for ten of the United States and the necessary measures are now pursuing for organizing and carrying the same into Operation:

And whereas at the time of the said Election the Citizens of diverse parts of this State were opposed to certain Articles of the said Constitution ~~and for removing~~

~~their objections several plans have been proposed and debated in this Convention but without~~

~~any prospect of Conclusion~~ ^{And} ^{Whereas} ^{the Meeting of this Convention} ^{from the important change which hath since taken place in the situation of public affairs} it is desirable that an Opportunity should be given to the said Delegates to know fully the Sentiments

AL

At present enjoined by their Constituents
on a subject so interesting to them and which
may so deeply affect the public welfare and
tranquillity. Therefore Resolved that this
Convention do adjourn until the first -

Tuesday of ~~September~~ next. then to
meet at ~~the Court House at Pough-~~
~~keepsie in the County of Dutchess~~

654-A (1). Alexander Hamilton's Amendments, 17 July 1788.¹

July 18. 1788

B

We the Delegates of the People of the State of New York in Convention assembled having maturely considered the Constitution for the United States of America agreed to on the 17th day of September in the year 1787 at Philadelphia in the commonwealth of Pennsylvania by the Convention then and there convened, and having also seriously and deliberately considered the present situation of the United States and being convinced that it is advisable to adopt the said constitution Do declare and make known in the name and behalf of the people aforesaid that the powers granted in and by the said constitution being derived from the People of the United States may be assumed by them whenever they shall Judge it necessary for their happiness that every power not granted thereby remains either to them or to their respective State Governments to whom they may have delegated the same; that therefore no right of any kind either of the people of the respective States or of the said Governments can be cancelled abridged restrained or modified by Congress or by any Officer or Department of the United States except in conformity to the powers given by the said Constitution that among other special rights the Liberty of Conscience of the people cannot be cancelled or abridged by any Authority of the United States. with these impressions with a firm reliance on the blessing of Providence upon a Government framed under circumstances which afford a new and instructive example of Wisdom and Moderation to mankind; with an entire conviction that it will be more prudent to rely for whatever Amendments may be desirable in the said Constitution on the mode therein prescribed than either to embarrass the Union or to hazard dissensions in any part of the Community by pursuing a different course; and with a full confidence that the Amendments which shall have been proposed will receive an early and mature consideration and that such of them as may in any degree tend to the real security and permanent Advantage of the people will be adopted: We the said Delegates in the name and behalf of the People of this State do by these presents Assent to and ratify the Constitution aforesaid: hereby announcing to all those whom it may concern

that the said Constitution is binding upon the said People according to an Authentic Copy hereto Annex'd in the Words following (here insert the Constitution)

Done in Convention at Poughkeepsie in the
State of New York this day of July in
the year of our Lord 1788 -
By Order of the Convention

And to the end that the sense of the People of this State may be manifested touching certain parts of the said Constitution concerning which doubts have been rais'd We the Delegates of our said in the name and behalf of the People of our said do by this presents further declare and make known that according to the true intent and meaning of the said Constitution Congress ought not to interfere in the regulation of the time place and Manner of holding elections for Senators and representatives except only in such cases in which the Legislatures of the respective States or any of them may neglect refuse or be unable to make provision or for the purpose of Appointing a uniform time for the election of representatives; and that the Legislature of any State may at its discretion lay out such State into convenient Districts for the election of representatives and may Appoint its representatives to and among such Districts: And also that except as to duties on imports and exports, or the Post office, and duties of tonnage, the United States and the States respectively have concurrent and co-equal authority to lay and collect all Taxes whatever and therefore that neither of them can in any wise contravene control or annul the operation or execution of any Law of the other for the imposition or collection of any tax except as aforesaid: And also that there must be one in every four years an Election of the President and Vice President, so that no Officer who may be Appointed by Congress to act as President in case of the removal death resignation or inability of the President and Vice President can in any case continue to act beyond the termination of the Period for which they

Last President and New President were elected: and Also that the Judicial Power of the United States, in cases in which a State may be a party does not extend to criminal prosecutions or to any suit by private persons against a State and that the Appellate Jurisdiction of the Supreme Court cannot authorize a second trial of the fact in any criminal case whatever or to a second trial of any fact Determinable in the course of the common law by a Jury and which shall have been so determined in the Original cause. And lastly that the process of presentment and indictment by a grand Jury ought to be observed in every prosecution for any crime as a necessary preliminary to the trial thereof.

And in Order that the foregoing declarations and constructions may be recognized and inviolably observed in the Administration of the Government of the United States this Convention in the name and behalf of the People aforesaid do hereby enjoin it upon the Senators and Representatives of this State in the Congress to procure as soon as may be after the Meeting of Congress an declaratory Act in conformity to these presents.

Done in Convention at Poughkeepsie
in the State of New York on the day
& in the year last aforesaid
By Order of the Convention

[Faint, mostly illegible handwritten text, likely bleed-through from the reverse side of the page.]

15 July 88

[Faint handwritten text, possibly a signature or date.]

654-A (2). Alexander Hamilton's Amendments, 17 July 1788.¹

July 15th 1788 (attending the proceedings)

Amendments to the Constitution to be recommended

I That there shall be one representative for every thirty thousand according to the enumeration or census mentioned in the constitution until the whole number of representatives amounts to two hundred; after which that number shall be continued or increased, but not diminished, as Congress shall direct, and according to such ratio as Congress shall fix, in conformity to the rule prescribed for the apportionment of representatives and direct taxes.

A. 1. *Agreed to* II That the Court for the trial of impeachments shall consist of the Senate, the Judges of the Supreme Court of the United States and the first or junior Judge for the term being of the highest Court of general and ordinary common law jurisdiction in each State. That Congress shall by Standing Law designate the Courts in the respective States answering to this description; and in States having no Courts exactly answering this description shall designate some other Court, preferring just if any there be, whose Judge or Judges may hold their places during good behaviour; provided that not more than one Judge shall come from one State. That Congress ~~shall~~ be authorized to pass Laws for providing a ~~decent~~ compensation for compensation the said Judges, and for compelling their attendance; and that a majority at least of the said Judges shall be requisite to constituting the said Court. That no person impeached shall sit as a member thereof. That each member shall previous to the entering upon any trial take an oath or affirmation honestly and impartially to hear and determine the cause: and that members present shall be necessary to a conviction.

22. *Agreed to* III That ^{the} authority given to the Executives of the States to fill the vacancies of Senators be abolished, and that such vacancies be filled by the respective Legislatures.

20. *Agreed to* IV That the compensation for the Senators and representatives be ascertained by Standing Law; and that no alteration of the existing rate of compensation shall operate for the

benefit of the representatives until after a subsequent election shall have been had.

V That no appropriation of money in time of peace for the support of an army, shall be by less than two thirds of the representatives and senators present.

VI That the Executive shall not take the actual command in the field of an army, without the previous ~~decision~~ ^{assent} of Congress.

VII That each state shall have power to provide for organizing, arming and disciplining its militia, when no provision for that purpose shall have been made, and until such provision shall have been made; and that the militia shall never be subjected to martial law but in time of war, rebellion or insurrection.

Agreed to 12. VIII That the journals of Congress shall be published at least once a year with the exception of such parts relating to treaties or military operations as in the judgment of either house shall require secrecy.

Agreed to 25. IX That the Judicial power of the United States shall extend to no controversy respecting land unless it relate to claims of territory or jurisdiction between states, or to claims of land, between individuals, or between states and individuals, under the grants of different states.

X That no judge of the Supreme Court shall hold any other office under the United States or any of them.

Mr. Hamilton's Motion as an Amendment on Mr. Hamilton's 22 July 1788 XI That when the number of persons in the district of territory to be laid out for the seat of the government of the United States, shall according to the rule for the apportionment of representatives and direct taxes amount to such district, shall cease to be parcel of the state by stamp granting the same and provision shall be made for allowing their same a distinct representation or separate that body according to the rule a vote of yeas.

XII That the representatives, senators, President, Vice President and judges of the United States shall each take an oath or affirmation not to infringe or violate the provisions of the respective states.

Agreed to XIII That ~~Congress~~ shall ~~never~~ ~~impose~~ a capitation no capitation
12 tax shall ever be laid by Congress.
unanimous

654-B (1). Drafts of Melancton Smith's Proposed Substitute Form of Ratification and Amendments, 17 July 1788.¹

We the Delegates of the People of the State of New York duly elected in pursuance of concurrent Resolutions of the Senate and Assembly of the said State passed the . . . day of . . . and now met in Convention having fully and fairly discussed the Constitution proposed to our consideration agreed upon by the federal Convention held in Philadelphia on the . . . day of . . . and now met in Convention having fully and fairly discussed the Constitution proposed to our consideration agreed upon by the federal Convention met in Philadelphia on the . . . day of September last, do make known and declare

That after the most mature Deliberation they have been able to give the Subject a Majority of them cannot approve the whole of the said Constitution without Amendments or Alterations for the following among other Reasons.

Ist BECAUSE some of the most important Powers granted by this Constitution are expressed in Terms so general indefinite and ambiguous, as to leave the Rulers in the Exercise of them to Act too much at Discretion.

II^d BECAUSE the limits of the Powers of the general and State Governments are not marked out, with sufficient Precision — nor those of the former so defined as entirely to prevent a blashing of Jurisdiction; and there is Reason to fear that the State Governments may be impaired by the General Government in the exercise of Powers granted in such general Words and by Implication only — Especially

III^d BECAUSE the Constitution gives to the Congress an indefinite and unlimited Power over all the Sources of Revenue in the Union, by which means there is Reason to fear that the individual States will be left without adequate means of discharging Debts or maintaining their Civil Establishments.

1. John McKessen Papers, New-York Historical Society.

IVth Because the number of Representatives are not sufficiently numerous at present to possess a competent knowledge of and attachment to the interests of their constituents, or to afford a reasonable degree of confidence, and no certain Plan of Increase is fixed, but left at the discretion of the Congress.

V Because the Power of regulating the Times Places and manner of holding Elections, tho' in the first Instance given to the Respective State Legislatures is yet ultimately placed under the controul of the Congress, by which means they will have it too much in their Power to secure their own continuance.

VI Because an improper mixture of legislative Executive and judicial Powers are lodged in the Senate. It is a maxim in a free government, that the legislative Executive and judicial Departments should be kept separate — Tho' this cannot be effected in all its extent yet it may be much nearer attained than is done in this System — For the Senate not only form a Branch of the Legislature, but are also associated with the President in the Exercise of the most Important Executive Powers, and form the highest judicial Court for the Trial of Impeachments.

VII The judicial Powers in this Constitution are given in too general and indefinite Terms, are so various & extensive that they may be easily be made by legal Friction to extend too far, and absorb some of the judicial Powers of the respective States. No explicit security is given for Trial by Jury in Common Law Cases, and the ancient and usual mode of Trial in Criminal matters is not secured. The Appellate Jurisdiction both as to Law and fact may deprive the Citizen of safety from Injuries and render the obtaining Justice difficult delatory and expensive.

For these and various other Reasons this Convention would have ~~been~~ induced not to accede to this Constitution did not other

Other weighty Considerations interpose. But the strong Attachments they feel to their sister States, and their regard to the Common good of the Union impel them to press on it.

This Convention have the firmest Confidence in the Common Councils of the People of the United States, and the highest Expectations that all the necessary Amendments will be produced from their farther Deliberations.

They therefore consent with the utmost Cheerfulness to abide the Result of such Deliberations — But as some time will be necessary to effect this the Convention will forbear to dissent from their Brethren of the other States. They have therefore agreed to assent to and ratify the said Constitution, in the firmest Confidence that an Opportunity will be speedily given to revise and amend the said Constitution in the mode pointed out in the fifth Article thereof; especially reserving Nevertheless to this State a Right to recede and withdraw from the said Constitution in case such Opportunity be not given within years —

And this Convention do recommend to the Congress that the Power to lay and Collect Taxes &c. to call out the Militia &c. &c. be not exercised or made to Operate on this State in any other manner than is proposed in the Amendments recommended by this Convention until the Sense of the People of the United States be taken on the Propriety of the Amendments to the Constitution in one or the other of the modes pointed out in it.

Resolved

Resolved that it be recommended to the Legislature of this State to request the Congress to call a Convention to Consider of and propose Amendments to this Constitution at their first Session; and that the Amendments agreed to by this Convention be transmitted to such Convention when met, to be laid before them —

Resolved that a circular Letter be addressed to all the States in the Union, enclosing the foregoing and earnestly inviting them to join with this State in requesting the Congress at their first Meeting to call a Convention of the States to Consider of the Amendments proposed by all the States.

654-B (2). Drafts of Melancton Smith's Proposed Substitute Form of Ratification and Amendments, 17 July 1788.¹

We the Delegates of the People of the State of New York, duly elected in pursuance of concurrent Resolutions of the Senate and Assembly of the said State passed the day of and now met in Convention, having fully and fairly discussed the Constitution proposed for our consideration, agreed upon by the Federal Convention met in Phil^a on the day of Sept. last - do make known and declare

That after the most ~~anxious~~ deliberation, they have been able to give the subject, a Majority of them cannot approve the said Constitution, without amendments or alterations - In the following among other Reasons

- 1st Because many of the most important powers granted by this Constitution are expressed in terms so general, indefinite and ambiguous, as to leave the Rulers in the exercise of them in great measure to their discretion
- 2^d The limits between the powers of the general and State Governments are not marked out with precision, nor those of the former so defined as to prevent a clashing of Jurisdiction. And there is reason to fear that the State governments will be swallowed up, by the general government, in the exercise of powers granted in general words and by implication especially.
- 3^d Because the Constitution gives to the Congress an indefinite and unlimited power over all the sources of Revenue in the union, without reserving the individual States an expense, by which means there is reason to fear the individual States will be left without the means of discharging their Debts or maintaining their civil establishments, and of consequence must be depopulated

1. Smith Papers, New York State Library.

4. Because the number of Representatives are not sufficiently numerous, at present, to possess a competent knowledge and attachment to the Interests of their Constituents, a fixed reasonable ground of confidence, and no certain ratio of increase is fixed, but is left at the discretion of the Legislature

5. Because the power of regulating the times, places and manner of holding Elections, though in the first instance given to the respective State Legislatures, is yet ultimately placed under the control of the Congress, by which means they will have ^{power} in their power in great measure to secure their own continuance

6. Because the ~~power~~ is a very improper mixture of legislative, executive and judicial powers as lodged in the Senate - It is a maxim in a free government that the legislative, executive or judicial departments should be kept separate - though this cannot be effected in all its extent, yet it may be much nearer attained, than is done in this system - For they not only form one branch of the Legislature, but are also associated with the President in the exercise of the most important executive powers, and form the highest judicial court in the nation for the trial of impeachments.

6. The judicial powers in this Constitution, are given in general and indefinite terms, are so various and extensive, as that they may easily be made by legal fiction to extend to every case, and absorb the judicial powers of the respective States - No security is provided for trial by jury in civil cases - and ^{the} ancient and usual mode of trial in criminal matters, is not secured - The appellate jurisdiction, both as to law and fact, may deprive the citizen of all safety from justice and render the obtaining justice difficult and expensive

For these and various other reasons, this Convention would be induced not to accede to the Constitution did not other weighty considerations interfere.

But the strong attachments they feel to their respective States and their regard to the common good of the Union, impel them to preserve the Union.

This Convention have the firmest confidence in the common Councils of the people of the United States and the highest expectations that all the necessary amendments will be produced from their farther deliberations on this important subject. They therefore consent, with the utmost cheerfulness to abide the result of such deliberations. But as some time will be necessary to effect these deliberations, the Convention will forbear to dissent absolutely from their Brethren of the other States, they have therefore agreed, to assent to and ratify the said Constitution in the firmest confidence that an opportunity will be given, to revise and amend the said Constitution in the mode pointed out in the 5th Article thereof.
 15 And on express condition, that if such revision does not take place within Years, this State shall be at liberty to withdraw from the said Government

And this Convention do recommend to the Congress
that the power to lay and collect excise, on the
Articles of the growth or manufacture or on the
luxuries or on the call out the militia or on the
elections or on the regulation of the
this State, in any other manner than is proposed in
the amendments recommended by this Convention,
until the sense of the People of the U.S. be taken on the
propriety of the amendments to the Constitution, in the
one or the other of the modes pointed out in this Convention

Resolved that a Circular Letter be addressed to all
the States in the Union, inclosing the foregoing & earnestly
inviting them to join with this State in proposing to
Melancton at their next meeting, to call a general
Convention of the States, to consider of the amendments
proposed by all the States, and to report such of the
States respectively, as when agreed to will quiet the
hearts of the People, and secure them against the abuse of
power

654-B (3). Drafts of Melancton Smith's Proposed Substitute Form of Ratification and Amendments, 17 July 1788.¹

2d Draft

We the Delegates of the People of the State of New York
 duly elected in pursuance of concurrent Resolutions
 of the Senate and Assembly of the said State, upon the
 day of _____ and now met in Convention
 having fully and fairly discussed the Constitution
 proposed to our consideration agreed upon by the
 Federal Convention held in Philadelphia on the
 day of _____ and now met in Convention
 having fully and fairly discussed the Constitution pro-
 posed to our consideration agreed upon by the Federal
 Convention met in Philadelphia on the day of Sept:
 1787 do make known and declare
 That after the most mature deliberation they have
 been able to give the subject a majority of them
 cannot approve the whole of the said Constitution
 without amendments or alterations in the following
 among other reasons

1. Because some of the most important powers
 granted by this Constitution are expressed in terms
 so general, indefinite and ambiguous as to leave the
 Judges in the exercise of them to act to much at
 discretion.
2. Because the limits of the powers of the general
 and State governments are not marked out with
 sufficient precision nor those of the former so defined
 as entirely to prevent a clashing of jurisdictions —
 and there is reason to fear that the State governments
 may be impaired by the general government in
 the exercise of powers granted in such general words
 and by implication only especially
3. Because the Constitution gives to the Congress an
 indefinite and unlimited power over all the sources of
 Revenue in the union, by which means there is
 reason to fear that the individual States will be left
 without adequate means of discharging debts or
 maintaining their civil establishments.

1. Smith Papers, New York State Library.

4. Because the number of Representatives are not sufficiently numerous at present to possess a competent knowledge of, and attachment to the interests of their constituents or to afford a reasonable degree of confidence, and no certain ratio of increase is fixed but left at the discretion of the Congress.

5. Because the power of regulating the times, places and manner of holding Elections, though in the first instance, given to the respective State Legislatures, is yet ultimately placed under the control of the Congress; by which means they will have it too much in their power to secure their own ~~continuance~~ continuance.

6. Because an improper mixture of Legislative, Executive and judicial powers are lodged in the Senate. It is a maxim in a free government that the Legislative, executive and judicial departments should be kept separate - though this cannot be effected in all its extent, yet it may be much near attained than is done in this system - For the Senate not only forms one branch of the Legislature, but are also associated with the president in the exercise of the most important executive powers, and form the highest judicial court in the nation for the trial of impeachments.

7. The judicial powers in this Constitution are given in too general and indefinite terms, are so various and extensive, that they may easily be made by legal fiction to extend too far, and absorb some of the judicial powers of the respective States. No explicit security is given for trial by jury in common law cases, and the ancient and usual mode of trial in criminal matters is not secured. The appellate jurisdiction both as to Law and fact may deprive the citizen of safety from Justice.

and render the obtaining justice difficult, dilating
 & expensive

For these and various other reasons this Convention
 would be induced not to accede to this Constitution
 did not other weighty considerations ~~interpose~~

But the strong attachments they feel to their
 State, and their regard to the common good of the Union
 impel them to preserve it —

This Convention have the firmest confidence in
 the common Councils of the people of the U.S. and the highest
 expectations, that all the necessary amendments will be
 provided produced from their farther deliberations,
 they therefore consent with the utmost cheerfulness to
 abide the result of such deliberations — But as some
 time will be necessary to effect this, the Convention
 will forbear to depart from their Brethren of the other
 States — they have therefore agreed to assent to & ratify
 the said Constitution in the firmest confidence that
 an opportunity will be speedily given, to revise and
 amend the said Constitution in the mode pointed out
 in the 5th Article thereof, ~~is properly~~ reserving nevertheless
 to this State a right to recede and withdraw from the
 said ~~Constitution~~ ^{government} in case such opportunity be not
 given within Years —

Constitution

And this Convention do recommend to the Congress
 that the power to lay and collect taxes to call
 out the militia &c. be not exercised or made to
 operate on this State, in any other manner than is
 proposed in the amendments recommended by this
 Convention until the sense of the people of this
 State be taken on the propriety of the amendments to the
 Constitution in one or the other of the modes pointed out

Resolved that it be recommended to the Legislature of this State to request the Congress to call a Convention to consider of and propose amendments to this Constitution at their first meeting and that the amendments agreed to by this Convention be transmitted to such Convention when met to be laid before them

Resolved that a Circular Letter be addressed to all the States in the Union, in doing the foregoing, and earnestly inviting them to join with this State in requesting the Congress at their first meeting to call a Convention of the States to consider of the amendments proposed by all the States, and to report thereon



654-B (4). Drafts of Melancton Smith's Proposed Substitute Form of Ratification and Amendments, 17 July 1788.¹

The Convention of the State of New York, appointed for the purpose of considering and determining upon the Constitution proposed by the Convention of the United States assembled at Philadelphia on the 17th Sept last, have taken the same under their consideration —

After long investigation & mature deliberation, a Majority of the Convention cannot approve of the system in its present form. Some of the reasons upon which their opinions are founded they beg leave to detail —

- 1st The important powers given to this government are expressed in such general, indefinite & ambiguous terms, as to leave the exercise of them in great measure to the discretion of the Adminr.
- 2^d The line between the powers of the general government and that of the respective States, is not drawn with that precision, nor the powers of the former so defined as to prevent a clashing of jurisdictions. And there is the greatest reason to fear that the State governments will be swallowed up by that of the general government in the exercise of general ~~and~~ powers granted by general words and implication, especially as
- 3^d The ~~general~~ Constitution grants an indefinite & unlimited power over all the sources of Revenue in the union, without reserving to the respective States any exclusive right over any — By which means we have the greatest reason to apprehend that the States will be unable to discharge their debts or support their civil government —
- 4th The number of Representatives in the democratic branch is not sufficiently numerous, and the ratio of their increase is not fixed in the Constitution, but left in some measure at the discretion of the Congress, & the power to alter the regulations of the time & place of manner of holding Elections is very improperly in our opinion given to the general government —
- 5th The Senate, in the opinion of the Convention have vested in them ~~too great~~ powers improper to be

1. Smith Papers, New York State Library.

lodged in one Body of men. It is a maxim in all free governments, that the Legislative, Executive and judicial should be kept separate - Though this cannot be perfectly attained, yet we conceive it may be much nearer approached to than is done in constituting the Senate - They form one branch of the Legislature, and are associated with the President in the exercise of most of the important executive powers, and are to form the most important Judicial court in the Nation for the trial of impeachments -

6. The judicial power extends to many objects not of general and national concern, its powers are not defined with sufficient accuracy, and there is no security provided for the trial by jury in civil causes, and the usual mode of trial in criminal matters is not secured

For the

For these and a variety of similar reasons, this Convention would be induced not to accept the Constitution, did not other weighty considerations interpose -

But the attachments which ^{the} ~~we~~ ^{the} States and ^{their} ~~our~~ regard to the common good impel them to preserve the union - The Convention have the firmest confidence in the common councils of the people, and well founded hopes that all the necessary amendments will be produced from their

Further deliberations - They therefore with the utmost cheerfulness consent to abide the result of such deliberations - But as some time is necessary for this purpose, the Convention will solemnly dissent absolutely from their ~~said State~~, Brethren of the other States, they do therefore assent to and ratify the said Constitution, upon condition nevertheless, that unless an opportunity of revising and amending the Constitution be afforded within ^{two} years, this State shall be at liberty to withdraw from the said Government -

And this Convention do ~~declare~~ as they represent to the Congress, that it is their sense, that Congress should not lay hands

And do in the most earnest manner recommend to the Congress, that the powers aforesaid be not exercised or made to operate on this State, in any other manner, than is proposed in the amendments, until the sense of the People of this State be taken on the propriety of amendments. -

659 (1). Draft of a Form of Ratification and Amendments Proposed by John Lansing, Jr., 19 July 1788.¹

We the Delegates of the People of the State of New York duly elected and met in Convention having maturely considered the Constitution for the United States of America agreed to on the 17. day of September in the year 1787. by the Convention then assembled at Philadelphia in the Commonwealth of Pennsylvania (a Copy whereof precedes these presents) and having also seriously and deliberately considered the present situation of the United States, Do declare and make known

That all Power is originally vested in & consequently derived from the People, and that Government is instituted by them for their common Interest Protection and Security, ~~and Government ought to respect and preserve the Rights of enjoying, Life Liberty and the pursuit of Happiness, unless forfeited by a breach of the Laws of the Commonwealth.~~

X That the Enjoyment of Life Liberty and the Pursuit of Happiness are essential Rights which every Government ought to respect and preserve.

That the Powers of Government may be reposed by the People ~~in Congress or in one or more persons~~ it shall become necessary to their Happiness; and that every Power Jurisdiction and right which is not by the said Constitution ~~expressly and clearly~~ expressly and clearly delegated to the Congress of the United States, or the Departments of the Government, ^{thereof} remains to the People of the several States, or to their respective State Governments to which they may have granted the same; and that those clauses in the said Constitution, which declare that Congress shall not have or exercise certain Powers, do not imply that Congress is entitled to Powers not given by the said Constitution; but that the clauses are to be construed either as exceptions to certain specified Powers, or as inserted merely for greater Caution.

That the People have an equal natural ~~and inalienable~~ ^{and inalienable} Right ~~to the free exercise of their religious~~ ^{and inalienable}

1. John McKessen Papers, New-York Historical Society.

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according to the dictates of conscience, and that no religious ~~sect~~ Sect or Society ought to be favored or established by Law in preference of ~~any~~ others.

That the People have a right to keep and bear Arms. That a well regulated militia ^{including} ~~composed of~~ the body of the People capable of bearing Arms is the proper, natural and safe defence of a free State. ~~That the militia~~ ^{That the militia} should not be subject to martial law, except in time of war rebellion or insurrection.

That standing Armies in time of peace are dangerous to Liberty, and ought not to be kept up, except in cases of necessity; and that at all times the military should be under strict subordination to the civil Power.

That in time of peace no soldier ought to be quartered in any house without the consent of the owner, and in time of war only by the civil Magistrate, in such manner as the Laws may direct.

That no ~~Subject~~ ^{Person} ought to be taken imprisoned or deprived of his freedom, or be exiled or deprived of his privileges franchises, life, liberty or property, but by due ^{process} ~~course~~ of law.

That no Person ought to be put twice in jeopardy of life or limb for one and the same offence, nor, unless in case of impeachment be punished more than once for the same offence.

That every ^{Person} ~~Subject~~ restrained of his Liberty is entitled to an Enquiry into the lawfulness of such restraint, and to a removal thereof, if unlawful, and that such Enquiry and ^{removal} ~~removal~~ ought not to be denied or delayed. ^{in the opinion of a court} ~~except when the public safety shall require~~ the suspension of the writ of ~~habeas corpus~~.

in time of public danger
except when an Act of public Danger shall suspend the writ of habeas corpus

That excessive Bail ought not to be required, nor excessive Fines imposed, nor cruel or unusual Punishments inflicted.

That (except in the government of the land and naval forces and in cases of impeachment) a Warrant or indictment by a Grand Jury ought to

3

to be observed as a necessary preliminary to the trial of all crimes cognizable by the Judiciary of the United States and committed within the United States; and such trial should be speedy, public, and by an impartial Jury.

Crimes not committed within any County of any of the United States, and in cases of crimes of the County, where the crime was committed, and committed within any County, that no person ^{can} be found guilty without the consent of a general jury, or which may be unanimous consent of such jury. But in cases of the profession of a foreign crime, the enquiry and trial may be by a general jury in any of the Counties in which the crime was committed, or by Law directed, which County in the cases last mentioned should be as near as conveniently may be to that County in which the crime may have been committed.

It shall appear to the Judges of the Court before whom the cause is to be tried, that an impartial jury can be had in the County where the offence was committed, and upon their report Congress may direct, the trial in the nearest County, in which an impartial jury can be had. And that in all criminal prosecutions the accused ought to be informed of the cause and nature of his accusation, to be confronted with his accusers, ^{and the witnesses against him} to have the means of producing his witnesses, and the assistance of Council for his defence, and should not be compelled to give evidence against himself.

That the trial of ~~crimes~~ by Jury, in the extent that it obtains by the Common Law of England is one of the greatest securities to the rights of a free People, and ought to remain inviolate.

That every Freeman has a right to be secure from all unreasonable searches and seizures of his Person his papers, or his property, and therefore that all warrants to search suspected places, or seize any Freeman his papers or property without information upon oath or affirmation of sufficient cause are ^{oppressive} ~~oppressive~~ and oppressive, and that all general warrants (for such in which the place or person suspected are not particularly designated) are dangerous and ought not to be granted.

That the People have a right, peaceably to assemble together to consult for their common good or to instruct

4

That there should be ^{their Representatives, and that every person} ~~rights to petition or apply to the legislature for~~ ^{redress of grievances.}
~~the President Vice President~~
 That no Officer who may be appointed by Congress to act as ~~or restrained.~~ ^{President in case of the removal} ~~President~~ ^{death resignation or inability} ~~of the President Vice President~~
 can in any case continue to act beyond the termination of the period for which the ~~last President Vice President~~ ^{and to apportion its Representatives to amongst such} Districts
 were elected. ^{Districts}
 That the prohibition contained in the said Constitution against ~~ex post facto~~ ^{laws, extends} ~~only to laws concerning crimes.~~
 That all appeals in causes ~~debetur~~ ^{debetur} according to the course of the common law, ought to be by writ of error and not otherwise.
 That the judicial power of the united States ^{in cases in} which a state may be a party, does not extend to criminal prosecutions, or to authorize any suits by ~~private~~ ^{any} persons against a state.
 That the judicial power of the united States ~~are~~ ^{is} to controversies between citizens of the same state claiming lands under grants of different states is not ~~to be~~ ^{to be} constrained to extend to any other controversies between them, except those which relate to such lands, so claimed under grants of different States.
 That the jurisdiction of the supreme Court of the united States, or of any other court to be instituted by the Congress, is not in any case to be increased enlarged or extended by any Fiction collusion or mere suggestion, and
 That no Treaty ~~is to be~~ ^{to be} construed so to operate as to alter the constitution of any state ~~and~~
 1 ——— and
 2 ——— Under

and with a firm Reliance and on the express Con-
dition that the rights aforesaid will not, and shall
not be lost abridged or violated and that the said
Constitution shall in the Cases above particularized
receive the constructions herein before expressed, with
a solemn appeal to the Searcher of Hearts for the purity
of our Intentions, and in the confidence that such
Imperfections as may exist in the Constitution will
as soon as possible be submitted to the Consideration
of a general Convention We the said Delegates in the
Name and in the behalf of the people of the State
of New York do by these presents assent to and ratify
the said Constitution upon Condition never-
theless that until a Convention shall be called
and convened for proposing Amendments to the said
Constitution — The Militia &c.

~~Resolution of~~

Mr. Smith to be substituted instead of Mr. Lansing's

~~Amendment of~~

Under these impressions and ~~in confidence~~ ^{in the} ~~that the rights~~
~~and explanations aforesaid are consistent with the~~
 Constitution, and therefore cannot be abridged or violated
 and ~~with the~~ ⁱⁿ confidence, that the amendments/
 which shall have been proposed to the said Constitution
 will receive an early and mature consideration, and
 that ~~none of them~~ ^{any} ~~in any degree tend to the~~
~~real security and~~ ~~and~~ ~~advantage~~ ~~of the people~~
~~will be adopted.~~ We the ^{said} delegates in the name and
 behalf of the people of the State of New York Do by
 these presents assent to and ratify the constitution
 aforesaid: Hereby announcing to all whom it may
 concern that the said Constitution is binding upon
 the people of the said State.

~~Done in Convention at Poughkeepsie~~
~~in the State of New York on the~~
~~day of _____ in the year last aforesaid~~

~~Whereas~~

Under these impressions and declaring that the rights
 aforesaid cannot be abridged or violated, and that the
 Explanations aforesaid are consistent with the said con-
 stitution; And in confidence that the Amendments
 which shall have been proposed to the said Constitution
 will receive an early and mature consideration.
 We the said Delegates in the Name and ^{in the} behalf of the
 People of the State of New York Do by these presents
 assent to and ratify the ^{said} Constitution.

(Here follows page 5 Letter **A** In full confidence)

Under these Impressions and
 in Confidence that the Declara-
 -tion of Rights and Explanations
 aforesaid are consistent with
 the Constitution and therefore
 cannot be ^{etc} abridged or violated
 And with the further Confidence
 that the Amendments which
 shall have been proposed
 to the said Constitution
 will receive an early and
 mature Consideration
 And that such of them as
 may in any Degree tend
 to the real Security and
 permanent Advantages of
 the People will be adopted

and with a firm Reliance and on
 the express Condition that the Rights
 aforesaid will not & shall not be
 lost abridged or violated and that
 the said Constitution shall in all
 Cases above particularized receive
 the Constructions herein before
 expressed with a solemn Appeal
 to the Searcher of Hearts for the
 purity of our Intentions and in
 the Confidence that ^{such} ~~any~~ ^{as}
 Imperfections may exist in the
 Constitution will as soon as po-
 -sible be submitted to the Consideration
 of a general Convention

The said Delegates in the Name and
 the Behalf of the people of the State
 of New York do by this present
 Appear to & ratify the said Consti-
 -tution

And ~~that~~ ^{In full Confidence}
 this Participation ~~shall~~
 nevertheless that until the same
 -ments herein contained & here-
 -unto ~~submitted~~ shall have been

submitted to a determined
 by

agreed

shall have been decided
 upon in ^{the Chamber} ~~either of~~
 the ~~places~~ ^{places} prescribed
 in the ~~10th~~ ^{10th} Article
 of the said Constitution

a Convention shall be cal-
 led and convened for pro-
 posing Amendments to
 the said Constitution by

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~~call~~ ~~to~~ ~~be~~ ~~continued~~ ~~in~~ ~~the~~ ~~service~~ ~~of~~ ~~this~~ ~~state~~ ~~for~~ ~~a~~ ~~long~~ ~~term~~ ~~than~~ ~~six~~ ~~months~~ ~~without~~ ~~the~~ ~~consent~~ ~~of~~ ~~the~~ ~~legislature~~ ~~there~~ ~~of~~ ~~that~~

will
 State ~~shall~~ not be continued in
 service out of this state for a long
 term than six months without the
 consent of the legislature ^{that} there

~~That~~ ~~the~~ ~~will~~
 That Congress ~~shall~~ not be
~~authorized~~ ~~to~~ ~~make~~ ~~or~~ ~~alter~~ ~~any~~
 Regulation in this state respecting
 the times places ^{and} manner of
 holding elections for Senators or
 Representatives unless the Legisla-
 -ture of this state shall neglect
 or refuse to make laws or regula-
 for the purpose, or from any
 -circumstance be incapable of making
 the same, and that in those cases
 such power ^{will} shall only be exercised
 until the Legislature of this state
 shall make provision in the pre-
 -misses, ^{that} ~~and~~ ~~that~~ no tax ~~shall~~
 be imposed on any article of the
 growth or manufacture ^{we} of the United
 States or any of them within this
 state, ^{and} ~~that~~ ~~that~~ Congress ^{will} ~~not~~
 lay direct taxes within this state

agreed unanimously

h. 52

agreed unanimously

6.

but when the Monies arising from
 the Import and Excise shall be
 insufficient for the public Services
 nor then until Congress shall first
 have made a Requisition upon
 this State to raise Levy & pay ~~the~~
~~the Amount~~ ^{the} ~~proportion~~ ^{proportion} of such Re-
~~quisitions~~ ^{make} agreeably to the Cen-
 sus fixed in the said Constitution
 in such way & Manner as the
 Legislature of this State shall
 judge best, but that in such case
 if the State shall neglect or refuse
 to pay its proportion pursuant
 to such Requisition then the
 Congress may raise & Levy this
 States proportion together with
 Interest at the Rate of six per
 Centum per Annum from the
 Time at which the same was
 required to be paid.

agreed Unanimously—

Done in Convention ~~the~~ at
 Poughkeepsie ^{in the County of Dutchess} in the State of New York
 the twenty ^{four} Day of July
 in the Year of our ~~birth~~ of our
 Lord 1788
 By Order of the Convention

And in these impressions and in confident
 confidence that the Rights and expla-
 nations aforesaid are consistent with
 the Constitution and therefore cannot
 be abridged or violated, and with the
 farther confidence that the Amend-
 ment (which shall have been proposed
 to the said Constitution will receive an
 early and mature consideration and
 that such of them as may in any
 degree tend to the real felicity and
 permanent Advantage of the people
 will be adopted -

Move that from the words

Move for that the Committee ~~re~~ reconsider that Paragraph
 which respects the Mode of introducing the Bill of Rights and
 the explanatory Amendments

That no Person other than such as shall be natural born Citizens
 or who have been of the United States, or of one of them, or who have
 become Citizens on or before the 4 July 1776 shall be
 eligible and who shall be substantial freeholders ~~four~~
 shall be eligible to the Places of President Vice President
~~Senator~~ or members of either House of the
 Congress of the United States

page 42. Election of Representatives

That no Person except natural born ~~and~~ Citizens ~~and~~ such as ~~had~~ ^{were} Citizens on or before the ~~1st~~ ^{1st} July 1776 and who shall be ~~independent~~ freeholders, shall be eligible to the Places of President Vice President ~~or~~ or members of either House of the Congress of the United States -

~~And that the State Legislatures shall have the Power of prescribing the Qualifications~~

x The 1st July 1776 or such as held Commissions under the United States during the war ^{at any time since 1st July 1776} and have ~~since~~ become Citizens of one or other of the United States

44. Clause respectf. Council of Appointment left out

Not to be inserted until 25 July 1788.

659 (2). Draft of a Form of Ratification and Amendments Proposed by John Lansing, Jr., 19 July 1788.¹

7 D C 2. *Recommendatory*

And the Convention do in the name & behalf of the people of the State of New York enjoin it upon their Representatives the Congress to exert all their Influence and use all reasonable means to obtain a Ratification of the following Amendments to the said Constitution in the manner prescribed therein & all laws to be passed by the Congress in the mean time to conform to the spirit of the said Amendments as far as the Constitution will admit.

That there shall be one Representative for every thirty free inhabitants according to the Enumeration or Census mentioned in the Constitution until the whole number of Representatives amounts to two hundred after which that number shall be continued or increased but not diminished as Congress shall direct and according to such Ratio as the Congress shall fix, in conformity to the Rules prescribed for the Apportionment of Representatives and direct Taxes.

That the Congress do not suppose any Grievance on any Article (except

1. John McKessen Papers, New-York Historical Society.

2

ardent Spirit) of the Growth production
or Manufacture of the United States or
any of them.

No. 3

That Congress ^{will} ~~do~~ not lay direct
Taxes but when the Monies arising
from the Impost and Excise shall
be insufficient for the public Expen-
-ses, nor then, until Congress shall
first have made a Requisition
upon the States to apportion among
their respective proportions of such
Requisition agreeably to the Census
fixed in the said Constitution in such
Way & Manner as the Legislatures of
the respective States shall judge best &
in such case, if any State shall neglect
or refuse to pay its proportion p^{ro}por-
-tant to such Requisition then Congress
may apportion & levy such State's proportion
together with Interest at the Rate of
six per centum ~~per Annum~~ ^{per Annum} from
the Time ^{of payment} prescribed in such Requi-
-sition.

That ^{the} Congress shall not make
or alter any Regulation in any State
respecting the Times places & Manner
of holding Elections for Senators &

3
 or Representatives unless the Legisla-
 -ture of such State shall neglect or
 refuse to make Laws or Regulations
 for the purpose or from any circum-
 -stance be incapable of making the
 same & then only until the Legisla-
 -ture of such State shall make
 provision in the premises provided
 that ^{the} Congress may prescribe the Time
 for the election of Representatives.

That no standing Army or regular
 Troops shall be raised or kept up in
 Time of peace without the consent
 of two thirds of the Senators and
 Representatives present in each
 House.

That no money be borrowed on
 the credit of the United States without
 the Assent of two thirds of the Senators
 & Representatives present in each House.

That the Congress shall not
 declare war without the concurrence
 of two thirds of the Senators & Repre-
 -sentatives present in each House.

That the privilege of the

That ^{the} Congress
 do not grant
 Monopolies or
 erect any Compa-
 -ny with exclusive
 Advantages of
 Commerce

That no Persons, except natural born Citizens or such as were
Citizens or or before the fourth day of July one thousand seven
hundred and seventy six, or such as held Commissions under
the United States during the war, and have at any time since
the fourth day of July one thousand seven hundred and
seventy six become Citizens of one or other of the United
States, and who shall be Freeholders, shall be eligible to the
Places of President Vice President or Members of either House
of the Congress of the United States. &

not to be inserted until 25th July P.M.

4

Habeas corpus shall not by any Law
 be suspended for a longer Term than
 six Months or until twenty Days
 after the Meeting of the Congress
 next following the passing of the
 Act for such suspension.

That the Right of the Congress to
 exercise exclusive Legislation over such
 District not exceeding ten Miles square
 as may by Legislation of a particular
 State & the Acceptance of Congress
 become the Seat of the Government
 of the United States shall not be so
 exercised as to exempt the Inhabi-
 -tants of such District from paying
 the like Taxes Imposts Duties & Excises
 as shall be imposed on the other
 Inhabitants of the State in which
 such District may be and that no
 person shall be privileged within
 the said District from Arrest for
 crimes committed or Debts contracted
 out of the said District.

5
 6
 That the Right of exclusive Legis-
 -lation with Respect to such places
 as may be purchased for the erection
 of Forts Magazines Arsenals Dock
 yards & other useful Buildings
 shall not authorize the Congress
 to make any Law to prevent the
 Laws of the States ^{respectively} in which they may
 be from extending to such places
 in all civil and criminal Matters
 except as to such persons as shall
 be in the service of the United States
 nor to them with Respect to crimes
 committed without such places.

That the compensation for
 the Senators and Representatives be
 ascertained by standing laws and
 that no Alteration of an existing
 Rate of compensation shall operate
 for the Benefit of the Representatives
 until after a subsequent Election
 shall have been had.

That the Journals of Congress
 shall be published at least once
 a Year with the exception of such
 parts relating to Treaties or Military

6

Operations as in the Judgment of either House shall require Secrecy & X

That both Houses of Congress shall always keep their Doors open during their Sessions unless the Business may in their Opinion require Secrecy.

That no Capitation Tax shall ever be laid by Congress.

That no person be eligible as a Senator for more than six years in any Term of twelve years and that

That the Vacancies in the Senate shall be filled up by the respective States may recall their Senators in either House may require it.

the Legislatures of the respective States may recall their Senators in either of them and elect others in their stead to serve the Remainder of the Term for which the Senators so recalled were appointed.

That no Senator or Representative shall during the Time for which he was elected be appointed to any office under the Authority of the United States.

Laws concerning Bankruptcy shall only extend to the Debts of other States respectively may pass Laws for the Relief of other insolvent Debtors.

That the Authority given to the Executives of the States to fill the Vacancies of Senators be abolished & that such Vacancies be filled up by the respective Legislatures.

That the power of Congress to pass uniform

4
7

That no person shall be eligible to the Office of president of the United States a third Time.

92 That the Executive shall not grant pardons for Treason unless with the consent of ^{the} Congress, but may at his Discretion grant Reprieves to persons convicted of Treason until their Cases can be laid before ^{the} Congress.

93 That the president as person exercising his powers for the Time being shall not command an Army in the Field in person without the previous Desire of ^{the} Congress.

~~Here take it all back
I agreed to including
great Draft page 9
of the 5 Division - 10
to have had the officers
of~~

94 That all Letters patent of Privileges of the United States shall run in the Name of the people of the United States and be tested in the Name of the president of the United States as the person exercising his powers for the Time being as the first Judge of the Court out of which the same shall issue as the case may be.

III) That the Congress appoint in such manner as they may think proper a Council to advise the President in the appointment of Officers - That the said Council shall not continue in Office for longer term than four years - That they shall keep a record of their proceedings and sign the same and be impeachable for Mal-conduct in Office - That the Counsellors shall have a reasonable allowance for their services fixed by standing Laws; And that no Man shall be elected a counsellor who shall not have attained the Age of thirty five years and who is not either a Natural Born Citizen of the United States or has become a Citizen of one of them Before the fourth day of July in the year one thousand seven hundred and seventy six.

(to be left out after once printed)

25
 That the Congress shall not constitute
 or ordain or establish any Tribunals
 or Superior Courts with any other
 than appellate Jurisdiction, except
 such as may be necessary for the
 Trial of Causes of Admiralty and
 Maritime Jurisdiction and for the
 Trial of Piracies and Felonies com-
 mitted on the high Seas & in all
 other Cases to which the judicial
 Power of the United States extends &
 in which the Supreme Court of the
 United States has not original Ju-
 risdiction the Causes shall be
 heard tried & determined in some
 one of the State Courts with the
 Right of Appeal to the Supreme
 Court of the United States or other
 proper Tribunal to be established
 for that purpose by the Congress
 with such Exceptions & under such
 Regulations as ^{the} Congress shall make

26
 That the Court for the Trial of
 Impeachments shall consist of the Se-
 -nate the Judges of the Supreme Court
 of the United States and the first or
 senior Justice for the Time being of the

h-56

9

highest Court of general & ordinary
 common Law Jurisdiction in each
 State - that ^{the} Congress shall by standing
 Laws designate the Courts in the re-
 spective States concerning this Descrip-
 tion and in States having no Courts
 exactly answering this Description
 shall designate some other Court
 proper such if any there be whose
 Judge or Judges may hold their place
 during good Behaviour - provided
 that no more than one Judge other
 than Judges of the Supreme Court of
 the United States shall come from
 one State - That ^{the} Congress be author-
 ized to pass Laws ^{for} compensating
 the said Judges for such services and
 for compelling their Attendance
 and that a Majority at least of the
 said Judges shall be requisite to con-
 stitute the said Court. That no
 person impeached shall sit as a
 Member thereof - That each ~~person~~
 Member shall previous to the inter-
 -est upon any Case take an oath
 or affirmation honestly & impar-
 -tially to hear & determine the Cause
 & that a Majority ~~of~~ ~~of~~ of the Members
 present shall be necessary to a ~~decision~~

10

27 That persons aggrieved by any Judgment sentence or Decree of the Supreme Court of the United States in any Cause in which that Court has original Jurisdiction with such Exceptions and under such Regulations as ^{the} Congress shall make concerning the same shall upon Application have a Commission to be issued by the president of the United States to such men learned in the Law as he shall nominate and by & with the Advice & Consent of the Senate appoint not less than seven authorizing such Commissioners or any seven or more of them to correct the Errors in such Judgment or to reverse such sentence & Decree as the Case may be & to do Justice to the parties in the premises.

28 That no Judge of the Supreme Court of the United States shall hold any other office under the United States or any of them.

29 That the Judicial power of the United States shall extend to

11
no controversies respecting Land unless
it relate to claims of Territory or
Jurisdiction between States or to
claims of Land between Individuals
or between States & Individuals under
the grants of different States.

12

That the Militia of any State shall not be compelled to serve without the limits of the State for a longer Term than six Weeks without the consent of the Legislature thereof.

That the words without the con-
sent of the Congress in the 7th Clause of the 9th Section of the first Article of the Constitution be expunged.

That the Senators & Representa-
-tives and all executive & judicial Officers of the United States shall be bound by Oath or Affirmation not to infringe or violate the Constitutions or Rights of the respec-
-tive States.

That the respective Legislatures of the respective States may make provi-
-sion by Law that the Electors of ^{the} every Election District to be by them appointed shall choose a Citizen of the United States who shall have been an Inhabitant of such District for the Term of one Year immediately preceding the Time of Election for one of the Representatives

of such State.

*Done in Convention at Poughkeepsie in the
County of Dutchess in the State of New York
the — day of July in the year of our Lord 1788*

By Order of the Convention

672. New York Declaration of Rights, Form of Ratification, and Recommendatory Amendments to the Constitution, 26 July 1788.¹

WE the Delegates of the People of the State of New York, duly elected and Met in Convention, Having maturely considered the Constitution for the United States of America, agreed to on the seventeenth day of September, in the year One thousand seven hundred and Eighty seven, by the Convention then assembled at Philadelphia in the commonwealth of Pennsylvania (a copy whereof precedes these presents) and having also seriously and deliberately considered the present situation of the United States, Do declare what we do know.

That all Power is originally vested in and consequently derived from the People, and that Government is instituted by them for their common Interest, Protection, and Security.

That the enjoyment of Life, Liberty and the pursuit of Happiness are granted, what which every Government ought to respect and preserve.

That the Powers of Government may be separated, and may be necessary to this; Happenings that every Government ought to respect and preserve.

That the Congress of the United States, or the Legislatures of the several States, or to their respective State Legislatures, may suspend the execution of these clauses in the said Constitution, which declare, that Congress shall not have or exercise within its own, do not imply that Congress is entitled to any Power not given by the said Constitution, but such clauses are to be construed either as exceptions to certain specified Powers, or as invested merely for greater security.

That the People have an equal, natural and inalienable right of Liberty, and that no Religion, but Liberty ought to be founded or established by Law in preference of others.

That the People have a right to keep and bear Arms, that a well regulated Militia, including the body of the People, capable of bearing Arms, is the proper, natural and safe defence of a free State.

That the Militia should not be subject to Martial Law, except in time of War, Rebellion, or Invasion.

That in time of Peace, Arms in time of War, and that at all times, the Militia should be under strict Subordination to the civil Law.

That in time of Peace, Arms should be kept in such manner as the Law may direct.

That no Person ought to be taken Imprisoned, or deprived of his Freedom, or Property, but by the process of Law.

That no Person ought to be put twice in jeopardy of Life, or Limb, or Members, for one and the same Offence, nor subject to a second trial for the same Offence.

That every Person retraced of his Liberty is entitled to an enquiry into the lawfulness of such restraint, and to a removal thereof if unlawful, and that such enquiry and removal ought not to be denied or delayed, except when on account of Public Danger, the Congress shall suspend in particular, of the writ of Habeas Corpus.

That every Person shall ought not to be required to give up his property, nor be or unusual Quarters, until he is notified.

That except in the Government of the Land and Naval Forces, and the Militia when in actual Service, and in cases of Impeachment of a Judge, no Person ought to be taken as a necessary preliminary to the trial of a Person, or any other, by the Judiciary of the United States, and such Person should be speedy public, and by an impartial Jury of the Country where the crime was committed, and that no Person shall be found guilty without the unanimous consent of such Jury, but in cases, for which no consent is within any boundary of any of the United States, and in cases of crimes committed within any boundary in which a general indictment may be returned, or which may be in the proper jurisdiction of any one of the States, such consent shall be given by a Jury of the Country in which the crime was committed.

1. Engrossed MS, RG 11, Certificates of Ratification of the Constitution and the Bill of Rights . . . , 1787-92, DNA.

That the last mentioned should be as near as conveniently may be to that country in which the crime may have been committed. And that in all criminal Prosecutions the accused ought to be informed of the
 cause and nature of the Accusation, to be confronted with his accusers and the Witnesses against him, to have the means of producing his Witnesses, and the assistance of Counsel for his defence, and should not be com-
 pelled to give Evidence against himself.

That the trial by Jury in the Colonies is one of the greatest securities to the rights of free People, and ought to remain inviolate.

That every Freeman has a right to be secure from all unreasonable searches and seizures of his person his papers or his property, and that all Warrants to search suspected places or seize
 any Person his papers or property, without Information upon oath or upon oath of sufficient cause, are grievous and oppressive, and that all general Warrants for such in which the place of person suspected are not
 particularly designated, are dangerous and ought not to be granted.

That the People have a right to assemble peaceably to consult for their common good, or to redress their Grievances, and that every person has a right to Petition or apply to the Legislature
 for redress of Grievances.

That the Freedom of the Press ought not to be violated or restrained.

That the Privileges of the Representatives of the People ought not to be violated or restrained.

That the Right of the People to a Trial by Jury in all criminal Cases, and in all civil Cases, shall not be infringed, and that in any case of the removal, death, resignation
 or inability of the Judge, or the death of the Jury, the Trial shall not be discontinued, and the Trial shall be continued in the hands of the next Judge or Jury, or in the hands of the next
 Justice, and to appoint the Representatives to and amongst such Juries.

That the Prohibition contained in the said Constitution against Ex post facto Laws extends only to Laws concerning Crimes.

That all Appeals in cases determinable according to the course of the common Law ought to be by writ of Error and not otherwise.

That the Judicial Power of the United States in cases in which a State may be a party, does not extend to criminal Prosecutions, or to exchange any debt by any Person against a State.

That the Judicial Power of the United States as to controversies between Citizens of the same State claiming Lands under Grants of different States is not to be construed to extend to any other
 Controversies between them, except those which relate to such Lands, so claimed under Grants of different States.


That the Jurisdiction of the Supreme Court of the United States or of any other Court, in any case to be removed or retained by any State, shall
 be ascertained by the said Constitution, and not by any other Law.

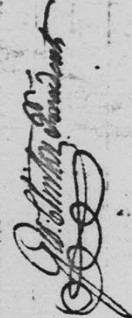
That no Treaty is to be entered into or operated so to alter the Jurisdiction of any Court.

Under these impressions and declaring that the rights of person cannot be abridged or violated, and that the Explanations proposed are consistent with the said Constitution, and in full confidence nevertheless that until a Convention shall be called and convened for the purpose of amending, altering, or adding to the said Constitution, the Legislature of this State, will vote continued in force out of this State for a longer term than six weeks without the consent of the Legislature of this State, and in order to make Laws or regulations for the purpose, or from any circumstance be incapable of making the same, and that in those cases such power will only be exercised with the Legislature of this State, or shall enable provision in the same, that no Law or Regulation of the Growth, production or transportation of any commodity shall be made, and that Congress will not lay direct Taxes within this State, and when the Union is arising from the Import and Export of Goods, until Congress shall have made a Resolution upon this subject, and pay the amount of such Resolution, according to the manner in which Congress shall direct, and that in such case, if the State shall refuse to pay its proportion pursuant to such Resolution, then the Congress may apply and lay this charge upon the State, and that at the rate of six per centum per Annum from the time at which the same was required to be paid.

Done in Convention at Poughkeepsie in the County of Dutchess in the State of New York the twentieth day of July in the year of our Lord One thousand seven hundred and Eighty eight.

By Order of the Convention.

Attest

 John Jay


 John Jay

AND the Convention do in the Name and Behalf of the People of the State of New York enjoin it upon their Representatives in the Congress to send all their Influences, and use all reasonable means to obtain a Ratification of the following Amendments to the said Constitution in the manner provided herein, and in all Laws to be passed by the Congress in the next June to conform to the spirit of the said Amendments as far as the Constitution will admit.

That there shall be one Representative for every thirty thousand Inhabitants, according to the Enumeration or Census mentioned in the Constitution, until the whole number of Representatives amount to ten numbers; after which that number shall be continued or increased but not diminished, as Congress shall direct, and according to such ratio as Congress shall fix, in conformity to the rule provided for the Apportionment of Representatives and direct Taxes.

That the Congress do not impose any Tax on any Article (except direct Taxes) of the Growth, Production or Manufacture of the United States, or any of them.

That Congress do not lay direct Taxes but when the Monies arising from the Import and Excise shall be insufficient for the Public Expenses, nor then until Congress shall first have made a Proposition upon the subject to be approved by their respective Legislatures; such Proposition, agreeably to the Census fixed in the said Constitution, in such way and manner as the Legislature of the respective States shall judge best, and in such Manner as Congress may direct, and Congress may direct, then Congress may direct, and Congress may direct, together with the

at one rate of tax, nor in any manner from the time of request prescribed in such request.

That Congress shall and make or alter any Regulation in any State respecting the times places and manner of holding Elections for Senators or Representatives, unless the Legislature of such State shall neglect or refuse to make Laws in that behalf made, or from any circumstance be incapable of making the same, and then only until the Legislature of such State shall make provision in the premises; provided that Congress may provide the time for the Election of Representatives.

That no Person except natural born Citizens, or such as were Citizens on or before the fourth day of July one thousand seven hundred and eighty nine, or such as had been Citizens under the United States during the War, and have at any time since the fourth day of July one thousand seven hundred and eighty six become Citizens of one of the United States, and who shall be forty two years of age at the time of the Election, shall be eligible to the Office of President.

That Congress do not grant Honors or erect any Company with exclusive Advantages of Commerce.

That no standing Army or regular Troops shall be raised or kept up in time of peace, without the consent of two thirds of the Senators and Representatives present in each House.

That no Money be incurred on the Credit of the United States without the Assent of two thirds of the Senators and Representatives present in each House.

That the Congress shall not declare War without the concurrence of two thirds of the Senators and Representatives present in each House.

That the Privilege of the Writ of Habeas Corpus shall not be suspended, for a longer term than six Months, or until twenty days after the Meeting of the Congress next following the Day for such suspension.

That the Right of the Congress to exercise exclusive Legislation over such Districts, not exceeding ten Miles square, as may by Opinion of a particular State, and the acceptance of Congress become the Seat of the Government of the United States, shall not be so exercised, as to exempt the Inhabitants of such District from paying the like Taxes Imposts Duties and Fees, as shall be imposed on the other Substantive Parts of the State in which such District may be, and that no Person shall be privileged within the said District from being called for Crimes committed, or otherwise punished, except as is now done as to the Right of exclusive Legislation with respect to such places as may be purchased for the Election of Electors, and other useful Buildings, shall not authorize the Congress to make any Law to prevent the Laws of the States respectively, in which they may be from extending to such places in all civil and criminal Matters, except as is now done as to the Courts of the United States; nor to them with respect to Crimes committed without such Place.

That the Compensation for the Senators and Representatives be ascertained by standing Laws, and that no alteration of the existing rate of Compensation shall operate for the Benefit of the Representatives, until after a subsequent Election shall have been had.

That the Journals of Congress shall be published at least once a year, with the exception of such parts relating to Treaties or Military operations, as in the Judgment of either House shall require Secrecy; and that both Houses of Congress shall always keep their Doors open during their Sessions, unless the Business in their Opinion requires secrecy. That the Journals shall be entered on the Journals whenever two Members in either House may require it.

That no Capitation Tax shall ever be laid by the Congress.

That no Person be eligible as a Senator for more than six years in any term of twelve years, and that the Legislatures of the respective States may and have done so or will do so, and to elect others in their stead, to serve the remainder of the term for which the Senators so elected were appointed.

That no Senator or Representative shall during the time for which he was elected be appointed to any Office under the Authority of the United States.

That the Authority given to the Executions of the States to fill the vacancies of Senators be abolished, and that such vacancies be filled by the respective Legislatures.

That the Power of Congress to pass uniform Laws concerning Bankruptcy shall only extend to Merchants and other Traders, and that the States respectively in any part of the Country shall have the sole and exclusive Authority to pass such Laws.

of the United States, or the persons exercising his powers for the time being, or the great Judge of the Court out of which he came shall give, as the case may be.

That the Congress shall not constitute, or establish any Tribunals or Superior Courts with any other than the said Supreme Court, or any other Court of Admiralty and Maritime Jurisdiction, and for the Trial of Crimes and Offences committed on the High Seas, and in all other Cases in which the Judicial Power of the United States, extend, and in the Supreme Court of the United States has not original Jurisdiction, the Cases shall be heard, tried, and determined in some one of the State Courts with the right of Appeal to the Supreme Court of the United States, or other proper Tribunal to be established for that purpose by the Congress, with such exceptions, and under such regulations as the Congress shall make.

That the Court for the Trial of Impeachment shall consist of the Senate, the Judges of the Supreme Court of the United States, and the great Justice of the Peace of the State of general and ordinary common Law Jurisdiction in each State, that the Congress shall by standing Laws designate the Courts in the respective States answering the Description, and without having the Senate exactly answering this Description, shall designate some other Court answering it. If any three or more Judges or Justices may hold their places during good Behaviour - provided that no more than one Judge, other than Justice of the Supreme Court of the United States, shall ever, in any one State - that the Congress be authorized to prescribe the mode of Trial, and the manner of exercising the Judicial Power, and that a Majority of the said Court shall be necessary to a conviction.

That persons appointed by any Judgments, Sentences or Verdicts of the Supreme Court of the United States, in any Cause in which that Court has original Jurisdiction, with such exceptions and under such Regulations as the Congress shall make concerning the same, shall upon Application, have a Remission to be issued by the President of the United States, to such Person named in the Law as shall be necessary, and by and with the Advice and Consent of the Senate, appointed out of the seven, authorizing such Remission, or any seven or more of them, to receive the Person in such Judgment, or to review such Sentence and Verdict, as the case may be, and to do Justice to the Parties in the Premises.

That no Judge of the Supreme Court of the United States shall hold any other Office under the United States, or any of them.

That the Judicial Power of the United States shall extend to no Controversies respecting Land, and shall relate to Controversies between States, or to Claims of Land between Individuals, or between States and Individuals under the Grants of different States.

That the Jurisdiction of any State shall not be compromised by or with the Jurisdiction of the United States for a longer term than six weeks, without the Consent of the Legislature thereof.

That the words without the Consent of the Congress in the seventh Article of the Constitution, be interpreted.

That the Jurisdiction and Appointments and all Execution and Judicial Powers of the United States shall be bound by such Interpretation not to change or violate the boundaries or Rights of the respective States.

That

That the Legislatures of the respective States may make Provision by Law, that the Electors of the Election Districts to be by them appointed shall also be Citizens of
 United States who shall have been an inhabitant of such District for the Term of one year immediately preceding the time of the Election for one of the Representatives of such District.
 Done in Convention at Poughkeepsie in the County of Dutchess in the State of New York the twenty sixth
 day of July in the year of our Lord one thousand seven hundred and Eighty eight.

Attest *John W. Livingston*
 Secretary

John W. Livingston
 Secretary

By Order of the Convention.

W. A. D. P. V. V.

673. New York Convention: Circular Letter to the Executives of the States, Poughkeepsie, 26 July 1788.¹

In Convention at Poughkeepsie, State of New York, July 26th 1788
 (Circular)

Sir

We the Members of the Convention of this State, have deliberately and maturely considered the Constitution proposed for the United States. Several Articles in it appear so exceptionable to a Majority of us, that nothing but the fullest confidence, of obtaining a Revision of them, by a General Convention, and an invincible reluctance to separating from our Sister States, could have prevailed upon a sufficient Number to ratify it, without stipulating for previous Amendments. We all unite in opinion that such a Revision will be necessary to recommend it to the approbation and support of a numerous body of our Constituents. We observe that Amendments have been proposed and are anxiously desired by several of the States, as well as by this; and we think it of great Importance that effectual measures be immediately taken for calling a Convention, to meet at a period not far remote: for we are convinced, that the Apprehensions and Discontents which those Articles occasion, cannot be removed or allayed, unless an Act to provide for it, be among the first that shall be past by the new Congress. As it is essential, that an application for the purpose should be made to them, by two thirds of the States. We earnestly exhort and request the Legislature of your Commonwealth to take the earliest opportunity of making it. We are persuaded that a similar one will be made by our Legislature at their next Session; and we ardently wish and desire, that the other States may

Concur

1. MS, Miscellaneous Legislative Papers, Senate Files, No. 849, Massachusetts Archives.

consider in adopting and promoting the Measure. It cannot be necessary to observe, that no Government however constructed can operate well, unless it possesses the confidence and good will of the great Body of the People; and as we desire nothing more, than that the Amendments proposed by this or other States be submitted to the Consideration and Decision of a General Convention, We flatter ourselves that motives of mutual Affection and Conciliation will conspire with the obvious dictates of sound Policy to induce even such of the States as may be content with every Article in the Constitution, to gratify the reasonable desires of that numerous Class of American Citizens who are anxious to obtain Amendments of some of them.

Our Amendments will manifest that none of them originated in local views as they are such, if acceded to, must equally affect every State in the Union. Our Attachment to our Sister States and the confidence we repose in them cannot be more forcibly demonstrated, than by acceding to a Government which many of us think very imperfect, and devolving the power of determining whether that Government shall be rendered perpetual in its present form, or altered agreeable to our wishes, on a Minority of the States with whom we unite.

We request the favour of your Excellency to lay this letter before the Legislature of your Commonwealth and we are persuaded that your regard for our National Harmony and good Government will induce you to promote, which we are unanimous
 in

in thinking very conducive to those interesting Objects.

By the unanimous Order of the Convention.

We have the honour to be with the highest respect

Your Excellencies

Most obedient Servants

By the unanimous order of the Convention.

John Jay
President

His Excellency

The Governor of Massachusetts

in thinking very conducive to their interests & safety.
 We have the honor to be with the highest respect
 Yours obediently
 Most obedient servants

The undersigned, over of the Convention

J. P. Miller

Governor Clinton's Letter
 from the Convention of 1788
 relating their proceedings on political
 Conventions
 July 26. 1788



John Jay

675. John McKesson's Working Draft of the Committee of the Whole Report.

On Friday July 25. - to precede sheet N^o 1

Reported

That the Committee had considered and debated the ^{said} Report of the Convention of the States by 6 clauses, and agreed to ~~a Ratification form of a Ratification~~ a Declaration of Rights, a form of a Ratification of the said Report of the Convention of the States with explanatory Amendments, and also to sundry Amendments to be recommended to be made to the said Report of the Convention of the States or form of a Constitution, which he was directed to report to this Convention.

Mr. Dothardt read the Report in his place and delivered ^{it} at the table where the same ^{was} again read and is in the words following viz.

That on the 19th day of June, ^{last past} on motion of Mr. A. Livingston

It was Resolved that no Question general or particular should be put in the Committee upon the proposed Constitution of Government for the United States, or upon any Clause or Article thereof, nor upon any Amendment which ^{should} ~~was~~ be proposed thereto, until after the said Constitution and Amendments ^{should} ~~shall~~ have been considered Clause by Clause.

That the said proposed Constitution of Government having been read, ~~the same~~ was considered and debated by Clauses and ^{afterwards} ~~several~~ Amendments ^{were} proposed thereto from day to day until the 30th day of July Instant, on which day the several Amendments proposed with a form of a Ratification delivered by Mr. Lansing was read in the words following viz^t.

That on the 19th day of July Mr. Lansing moved that
 the several other propositions before the Committee be
 postponed to take into consideration ^{the draft of a Ratification & Amendments} ~~the~~ first offered
~~to the Committee on the 10th day of the month~~
 which are in the words following viz: - heretake in C & D.
 That Debates arose on the said Motion, and that the Question
 having been put ^(and on motion of Mr. Lansing the yeas and nays being taken) thereon ^{it} was carried in the Affirmative
 in the manner following viz: (No 2)

That the Committee proceeded to the consideration of the said
~~amend~~ proposed Ratification and Amendments ~~and~~ Debates
 were had there on —

That on the 21st day of July one of the proposed
 Amendments ^{was again} ~~being~~ read in the words following viz:
 "That ~~no~~ ^{the Congress do not impose any} ~~excise~~ ^(except spirit and spirits) shall be imposed on any Article of the growth
 production or manufacture of the United States ~~within~~
~~this State and~~ ~~spirit~~ ~~excepted~~ or any of them —
 That Debates were had on the said proposed amendment and
 that the Question being put ^{same} whether the Committee did
 agree to the ~~proposed~~ Amendment (and on motion of Mr. Hamilton
 the yeas and nays being taken) it was carried in the
 affirmative in the manner following viz: (No 3)

That ^{the next following clause} ~~another~~ of the proposed Amendments being again
 read is in the words following viz:

~~And~~ That Congress will not lay direct Taxes within
 this State but when the Monies arising from the Impost
 &c. — Page 2 No 3 of Letter C & D

That Debates were had on the Clause last read, and
 that

That the Question being put whether the Committee did agree to the same (and on Motion of Mr. Hamilton the yeas and Nays being taken) it was carried in the Affirmative in the manner following viz.

No. 4.

That another of the proposed Amendments ~~was~~ ^{was again} read ^{and} in the words following viz.

"That no standing Army or regular Troops shall be raised or kept up in Time of Peace without the Consent of two thirds of the Senators and Representatives present in each House."

That Mr. Hamilton moved that the Clause last read should be ~~rejected~~ ^{expressed} and the following substituted in its stead viz.

"That no appropriation of money in Time of Peace for the support of an Army shall be by less than two thirds of the Representatives and Senators present."

That Debates were had on the Clause last read and proposed to be substituted —

That the Question having been put whether the Committee did agree to the same (and on Motion of Mr. Hamilton the yeas and Nays being taken) it passed in the Negative in the manner following — viz.

(No. 5.)

That Mr. Jay then made a motion that the words ~~or~~ raised or in the Amendment originally proposed should be obliterated —

That the Question being put whether the Committee did agree to obliterate the words aforesaid (and on motion of Mr. Bay the yeas and nays being taken) it passed in the Negative in the manner following viz^t.

(No 6)

That the Question being then put whether the Committee did agree to the said Amendment it was carried in the Affirmative —

That another of the proposed Amendments ^{was} ~~being~~ ^{again} read in the words following viz^t.

"That no person be eligible as a Senator for more than six years in any Term of twelve years — And that the Legislatures of the respective States may recall their Senators or either of them and elect others in their stead to serve the Remainder of the Time for which the Senators so recalled were appointed."

That the Question being put having been put whether the Committee did agree to the same (and on motion of Mr. Hamilton the yeas and nays being taken) it was carried in the Affirmative in the manner following viz^t.

(No 7)

That another of the proposed Amendments was
~~read and considered and Debates~~
 had thereon in the words following viz^t:

"That no Senator or Representative shall during
 the Time for which he was elected or appointed
 to any Office under the Authority of the United
 States."

That Debates were had on the said proposed
 Amendment.

That the Question having been put whether the
 Committee did agree to the same (and ^{on motion of Mr. Hamilton} the yeas
 and nays being taken) it was carried in the
 affirmative in the manner following
 viz^t: No. 8.

That another of the proposed Amendments was
^{again} read in the words following viz^t:

"That no money be borrowed on the credit of the United
 States without the Assent of two thirds of the Senators
 and Representatives present in each House."

That Debates were had on the clause last read

That the Question having been put whether the Committee
 did agree to the same (and on motion of Mr. Hamilton,
 the yeas and nays being taken) it was carried in the
 affirmative in the manner following viz^t:

(No. 9)

That on the 22^d day of July
~~That~~ another of the proposed Amendments was ^{again}
 read in the words following viz^t:

" That the Congress appoint in such manner as they
 may think proper a Council to advise the President
 in the Appointment of Officers. — That the said
 Council shall not continue in Office for a
 longer Term than four years — That they shall
 keep a record of their Proceedings and sign the
 same and be impeachable for mal-Conduct in
 Office — That the ~~Committee~~ ^{Councillors} shall have
 a reasonable allowance for their services
 fixed by Standing Laws; And that no man
 shall be elected a Counsellor who shall
 not have attained ~~to~~ the Age of thirty five years
 and who is not either a natural Born Citizen
 of the United States or has become a Citizen
 of one of them before the fourth day of July in
 the year one thousand seven hundred and
 seventy six — "

That debates were had on the proposed Amend-
 =ment last read

That the Question having been put whether the
 Committee did agree to the same, ^{on motion of Mr Hamilton} and the
 yeas and nays being taken) it passed in the
 negative in the manner following viz^t:

(No. 10)

That another of the proposed Amendments was ^{again} read
in the words following viz^t.

"That the Congress shall not declare War without
the Concurrence of two thirds of the Senators
and Representatives present in each House."

That Debates were had on the said proposed
Amendment - And that the Question having been
put whether the Committee did agree to the
same (and on motion of Mr. R Livingston
the yeas and nays being taken) it was
carried in the Affirmative in the manner
following viz^t (N^o. 11)

That another of the said Amendments was ^{again} read in the
words following viz^t.

"That the right of the Congress to exercise exclusive
~~Jurisdiction~~ Legislation over such District not
exceeding ten Miles square as may by Cession of a
particular State and the acceptance of Congress
become the seat of the Government of the United States
shall not be so exercised as to exempt the
Inhabitants of such District from paying the
like Taxes Imposts Duties and Excises as shall be
imposed on the other Inhabitants of the State in
which such District may be; and that no
person shall be privileged within the said
District from Arrest for Crimes Committed or
Debts —

Debts contracted out of the said District shall ~~not~~ ~~be~~ ~~the~~ ~~same~~ ~~as~~ ~~the~~ ~~other~~ ~~Inhabitants~~ ~~of~~ ~~the~~ ~~United~~ ~~States~~ ~~in~~ ~~general~~.

That the last mentioned Amendment having been read Mr. Hamilton moved that the same should be obliterated and the following inserted in its stead viz:

"That when the Number of Persons in the District of Territory to be laid out for the seat of the Government of the United States, shall according to the Rule for the Apportionment of Representatives and direct Taxes Amount to ^{Such District} shall cease to be parcel of the State granting the same, and Provision shall be made by Congress for their having a distinct Representation in that Body."

That Debates were had on the clause proposed by the Motion of Mr. Hamilton to be substituted - And that the Question having been put whether the Committee did agree to the same, ^{and on Motion of Mr. Lansing they assented and saying going to them} it passed in the Negative in the manner following viz:

(No 12)

That the Question ^{having been} ~~was~~ then put on ^{as first proposed} the said Amendment it was carried in the Affirmative -

That another of the proposed Amendments was ^{again} read in the words following viz:

"That the Congress shall not constitute or establish any Tribunals or inferior Courts with ^{any} other than Appellate Jurisdiction, except such as may be necessary for the Trial of Causes of Admiralty and maritime Jurisdiction, and for the Trial of Offences and Felonies committed on the high Seas, and in all other Cases to which the Judicial Power of the United States extends, and in which the Supreme Court of the United States has not original Jurisdiction, the Causes shall be heard tried and determined

in -

some one of the State Courts, with the Right of appeal to the Supreme Court of the United States or other proper Tribunal to be established for that purpose by the Congress, with such exceptions and under such Regulations as the Congress shall make"

That Debates were had on the Clause last read - And that the Question having been put ~~whether the~~ ^{on the opinion of Mr. McKesson} Committee did agree to the same and the yeas and Nays ~~taken~~ (being taken) it was carried in the Affirmative in the manner following ^{viz.} No 13

on the 23^d day of July

That, in the form of the Ratification proposed, a paragraph thereof was ^{again} read in the words following viz^t:

"And with a firm Reliance ~~and~~ on the Express Condition that the Rights aforesaid will not and shall not be lost, abridged or violated, and that the said Constitution shall in the Cases above particularized receive the Constructions herein before expressed, with a solemn appeal to the Searcher of Hearts for the purity of our Intentions and in full confidence that such Imperfections as may exist in the Constitution will as soon as possible be submitted to the consideration of a general Convention -"

That ^{the paragraph last read should be expunged and that} Mr. Wm Smith then moved that the following Paragraph should be substituted viz^t:

"Under these Impressions and in confidence that the Declaration of Rights and explanations aforesaid are consistent with the Constitution and therefore cannot be abridged or violated - And with the further confidence that the Amendments which shall have been proposed to the said Constitution will receive an early and mature Consideration, and that such of them as may in any Degree tend to the real security and permanent advantage of the People will be adopted."

That

That the Question having been put whether the Committee did agree to the ~~the~~ clause proposed to be substituted (and on Motion of Mr. DeGare the yeas and Nays being taken) it was carried in the Affirmative in the manner following viz^d
(No. 14)

That another part of the ~~the~~ ^{again} proposed Ratification being read in the words following viz^d

"We the said Delegates in the Name and in the behalf of the People of the State of New York do by these presents assent to and ratify the said Constitution Upon condition Nevertheless that until a Convention shall be called and convened for proposing Amendments ~~therein~~ ^{and thereunto recommended}, shall have been decided upon in the manner prescribed in the fifth Article of the said Constitution."

That Mr. Jones then moved that the words ^{should} upon condition be obliterated, and the words in full confidence ^{should} be substituted in their stead.

That Debates were had on the said Motion - And that the Question having been ~~put~~ ^{put} whether the Committee did agree to the same (and on ^{Motion of Mr. DeGare} yeas and Nays being taken) it was carried in the affirmative, in the manner following - viz^d (No. 15)

~~That~~
In full Confidence nevertheless that until a Convention shall be called and convened for proposing Amendments to the said Constitution, III

That on the 24th day of July Another of the Amendments proposed, was ^{again} read in the words following viz^d *

"That ^{this} the militia of ~~any~~ State will not be continued in service without ~~the limits~~ ^{the limits} of this State for a longer Term than six Weeks, without the consent of the Legislature thereof."

That

53 X That the ~~motion~~ ^{having been} following Amendment, ~~was~~ ^{read} ~~read~~ ^{and that the Question having been put on} each of them respectively whether the Committee did agree to the same they were respectively unanimously agreed to, and are in the words following viz. That the Congress will ~~be~~ ^{to the end of page 6} the words required to be paid Letter C.

That Debates were had on the said Amendment
 That the Question having been ~~taken~~ put whether
 the Committee did agree to the same (and on
 motion of Mr. Lansing the yeas and nays being
 taken) it was carried in the Affirmative
 in the manner following viz:

~~There were inserted the following Amendments~~ (No 16)
~~which were agreed to unanimously~~

That Mr. Lansing then ^{proposed} ~~proposed~~ the following an
 Amendment in the words following viz:

"Reserving to this State a Right to recede and
 withdraw itself as one of the members of the
 said Government at any time after the
 Expiration of _____ years, unless the
 said Amendments shall before that Time
 have been submitted to a Convention in the
 mode prescribed in the fifth Article of the
 said Constitution"

That Debates were had on the Amendment proposed
 by the said motion - And that the further consideration
 thereof was postponed until the morrow.

July 25th

That the Question having been put on the Amend-
 -ment proposed by the motion of Mr. Lansing of
 yesterday (and on motion of Mr. Schoonmaker
 the yeas and nays being taken) it ~~passed~~ ^{was} in the
 Negative in the manner following ~~the vote~~

(No 17)

that Mr. Fredwell ^{then made a motion} moved that the committee would reconsider that paragraph which respected the mode of introducing the Declaration of Rights and explanatory amendments

That debates arose on the said motion and that the question having been put thereon, it was carried in the affirmative in the manner following viz: (No 18)

That the Paragraph in Mr. Fredwell's motion mentioned was accordingly reconsidered and amended and agreed to, and as amended and agreed to is in the words following viz:

"Under these impressions and declaring that the Rights aforesaid cannot be abridged or violated, and that the Explanations aforesaid are consistent with the said Constitution, and in confidence that the Amendments which shall have been proposed to the said Constitution will receive an early and mature consideration, We the said Delegates in the Name and in the Behalf of the People of the State of New York DO by these presents assent to and ratify the said Constitution.

That the Draft of the Declaration of Rights, Ratification of the Constitution and explanatory Amendments being read as amended are in the words following viz:

(here insert them) as in the News Paper ^{of July 29th} except the date and Signatures

That the Question having been put whether the committee did agree to the said Declaration of Rights form of a Ratification of the Constitution and explanatory Amendments, it was carried in the affirmative in the manner following viz:

(No 19)

Mr. Dothoudt further reported that he was directed by the said committee to move for Leave to sit again

Ordered that the said committee have leave to sit again.

The said Report having been heard and considered Mr. President ^(the yeas and nays being taken) the question whether the Convention did agree with the committee in the said Report, was carried in the affirmative in the manner following viz:

(No 21)

Duplicates of the said Report of Ratification are ~~ordered that the Report of the committee be engrossed~~ ~~ordered that the said committee have leave to sit again~~ ~~ordered &c.~~

Then the Convention adjourned until five of the clock in the afternoon

* Thereupon Ordered that Duplicates of the said Draft of Ratification as Reported by the committee be engrossed
Ordered that the said committee have leave to sit again
On Motion of Mr. Swan
Resolved unanimously that the next part of Journal of Sicary July 25th

(N^o 1) Ordered that the said Ratification be signed by his Excellency the President, and attested by the two Secretaries in behalf of this Convention

Resolved that his Excellency the President be desired to transmit to Congress the Ratification aforesaid, and that the Duplicate thereof together with the Journal of the proceedings of this Convention be deposited by one of the Secretaries, in the Office of the Secretary of this State, there to remain of Record.

Mr. Jay from the Committee appointed for the purpose reported a Draft of a Circular Letter from this Convention to the Executives of the several other States to be laid before their respective Legislatures, which was read, and being again read by Paragraphs and Agreed to, is in the words following viz.

In Convention at Poughkeepsie State of New York July 26th 1788.

Sirs

(Circular)

(here insert the Letter)

Mr. President then put the Question Whether the Convention did agree to the said Letter and it was unanimously carried in the Affirmative

Resolved that the requisite Number of Copies of the said Letter be prepared, and that his Excellency the President is hereby requested to Subscribe and transmit the same as by Order of this Convention to the Executives of each of the States respectively

Resolved that the Proceedings of this Convention be Communicated to the Legislature of this State at their next Session, and that they be and are hereby earnestly requested to Co-operate with our Sister States in Measures for Obtaining a general Convention to Consider the Amendments and Alterations proposed by them and us as proper to be made in the Constitution of the United States.

Resolved that his Excellency the President be requested as Governor of this State to make the above mentioned Communication

Resolved that his Excellency the President be requested to take Order to Ascertain the incidental Expenses of the Convention and to lay the Account thereof before the Legislature at their next

next Meeting.

Ordered that each Member of the Convention be furnished with a copy of the Journals and that a copy be forwarded to each City, Town, District and Precinct within this State.

Resolved that the thanks of this Convention be given to the President and to the Chairman of the Committee of the whole House, for their equal and impartial conduct in their respective Stations.

Resolved that the thanks of this Convention be given to the Reverend Mr. Henry Van Dyck and to Mr. Daniel Marsh for their punctual Attendance on the Convention and the Satisfactory manner in which they performed the Service requested of them.

Then the President with the unanimous Consent of the Convention Adjourned the same without day.

Finis —

Resolved unanimously, that a circular Letter be prepared to be laid before the different Legislatures of the United States, pressing in the most earnest manner, the necessity of a general Convention to take into their consideration the Amendments to the Constitution proposed by the several State Conventions.

Ordered that a Committee of three Members be appointed by ballot to prepare and report a draft of a Letter accordingly.

The Ballots being taken and told; it appeared that Mr. Jay Mr. Lansing and Mr. M. Smith were elected.

Ordered that those three Gentlemen be a Committee for that purpose. Then the Convention adjourned until five of the clock in the afternoon
5 o'clock. P. M.

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We have the honor to be with the highest respect
your Excellency's
Most Obedt Servants

5 o'clock P.M. July 25th 1788.

The Convention met pursuant to adjournment and resolved itself into a committee of the whole on the Report of the Convention of the States lately assembled in Philadelphia and the Resolution and Letter accompanying the same to Congress and the Resolution of Congress thereon; after some time spent therein Mr. President resumed the Chair and Mr. Dothardt from the said ^{Committee} reported, that the Committee had proceeded to consider the recommendatory Amendments proposed to the said Constitution, and that in proceeding therein Mr. Jay made a motion for an Amendment in the words following viz:

"That no person except natural born Citizens or such as were Citizens ~~or such as were Citizens~~ on or before the fourth day of July one thousand seven hundred and seventy six, or such as held Commissions under the United States during the war, and have at any time since the fourth day of July one thousand seven hundred and seventy six become Citizens of one or other of the United States, and who shall be freeholders, shall be eligible to the places of President, Vice President or Members of either House of the Congress of the United States"

That Mr. Lansing then made a motion that the words and who shall be freeholders should be obliterated.

That Debates arose on the said motion, and that the Question having been put thereon it passed in the Negative in the manner following viz:

No. 20

That the Question having been then ^{amendment} put on the Motion of Mr. Jay it was ~~carried~~ whether the Committee did agree to the Amendment proposed by the Motion of Mr. Jay, it was carried in the Affirmative.

That the Committee had considered of and agreed to sundry Amendments to be recommended to be made to the said Constitution and which are in the words following viz^t

Insert them Letter D

Mr. Dothout read the said Report in his place and delivered the same in at the Table where it was again read

President
Mr. Speaker then put the Question whether the Convention did agree with the Committee in the last report and it was Unanimously carried in the Affirmative

Thereupon ordered that Duplicates of the said ^{of Amendments to be recommended to be made to the said} Report, ^{Constitution} be engrossed

Then the Convention adjourned until nine of the Clock to morrow Morning

Saturday a Clock A.M. July 26th 1788.

The Convention met pursuant to adjournment

Duplicate Copies of the Engrossed Declaration of Rights and form of a Ratification of the Constitution for the United States and explanatory Amendments, and of the Amendments recommended to be made therein were read

Mr. President then put the Question whether the same shall pass as agreed to and ratified by this Convention and it was carried in the Affirmative in the manner following viz^t No. 22.

Thereupon Resolved ~~to~~ Ordered to (No. 1)

on which day
~~That on the 11th day of July~~ Mr. Jay moved for the
 following Resolutions viz^t

"Resolved as the opinion of this Committee that the Constitution
 under consideration ought to be ratified by this Convention,

Resolved further as the opinion of this Committee that such
 parts of the said Constitution as may be thought doubtful
 ought to be explained, and that whatever Amendments may be
~~deemed~~ deemed useful or expedient ought to be recommended.

That Debates were had on the said Motion, ~~and the further con-~~
~~sideration thereof postponed~~ from day to day (Sunday except-
~~ed)~~ until the 15th day of July.

That on the ^{said} 15th day of July Mr. M. Smith moved ~~to add~~
 as an Amendment to add to the ^{first} Resolution proposed by Mr. Jay
~~the~~ so that the same as amended should read as follows viz^t

"Resolved as the Opinion of this ~~Opinion~~ Committee that
 the Constitution under consideration ought to be ratified by this
 Convention upon Condition Nevertheless — page 5. —

(here insert the three Conditional Amendments —)
 to the ~~words~~ required to be paid near the end of page 6
 see Letter A

That Debates were had on the said Motion —

That on the 17th Day of July Mr. Duane made a motion that the
 Amendments proposed by ~~the~~ ^{Mr. M. Smith} ~~the~~ ^{from} ~~the~~ ^{the} ~~County~~ ^{County} should
 be postponed to take into consideration the Propositions following
 viz^t —

here Insert the Amendment of Ratification in the handwriting
 of Mr. Jay and Amendments in ~~in~~ the handwriting of Mr. Hamilton
 see Letter B

That Debates arose on the said Motion and that the
Question ^(upon the Motion of amending the year and ways being taken) having been put thereon it passed in the
Negative in the manner following viz (No. 1)

~~These Debates~~

[The remainder of the page contains extremely faint, illegible handwritten text.]